

Report to / Rapport au:

Human Resources Committee Comité des ressources humaines

24 November 2017 / 24 novembre 2017

Submitted by / Soumis par:

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SUBJECT: OPS GENDER EQUALITY AUDIT – FINAL REPORT

**OBJET: VÉRIFICATION DE L'ÉGALITÉ ENTRE LES SEXES AU SPO :
DERNIER RAPPORT**

REPORT RECOMMENDATIONS

That the Human Resources Committee receive this report for information.

RECOMMANDATIONS DU RAPPORT

Que la Comité des ressources humaines prenne connaissance du présent rapport à titre d'information.

BACKGROUND

On Aug. 16, 2012, a human rights application was filed with the Human Rights Tribunal of Ontario (HRTO) by a female OPS officer against the Ottawa Police Services Board (the "Board") alleging discrimination in employment on the basis of sex and family status. The Ontario Human Rights Commission (the "Commission") intervened as a party under section 37 of the *Human Rights Code*.

As part of the settlement reached through the Commission, the OPS agreed to undertake a series of actions to address problems related to gender within the organization:

Phase I: Analyze the OPS 2012 Workforce Census to determine representation by gender and/or family status.

Phase II: Conduct a Gender Audit.

Phase III: Develop new and/or amended policies or procedures that relate to job placement and promotions, including a draft human rights accommodation policy.

Phase IV: Implement policies and undertake training related to Phase III results.

The OPS agreed to report the results of the review at each stage to the Commission, the key stakeholder and the Ottawa Police Association.

The OPS has now concluded its obligations under the Minutes of Settlement in accordance with the prescribed deadlines. Phases I and II were completed and presented to the Commission on Nov. 4, 2016, Phase III on May 3, 2017, and Phase IV on Nov. 2, 2017.

In the two years that the OPS has been working on this Gender Project, the discussion around gender issues in Canadian policing has become more relevant than ever. The insights gained during this work have allowed the OPS to revise policies and procedures in ways that are expected to have a real, tangible impact on our organization and its members.

The OPS is thankful for the opportunity presented by this human rights complaint, as it has allowed us to lay a foundation that, in time, will help the organization evolve into one that lives – rather than just talks about – the principles of equity, diversity and inclusion.

The purpose of this document is to report on Phase IV of the OPS Gender Project and to outline the steps the OPS has taken to fulfill its obligations under the Minutes of Settlement.

DISCUSSION

Phase IV Approach

As it has throughout this Gender Project, in Phase IV the OPS set out to go above and beyond the requirements of the Minutes of Settlement and take the most innovative and thorough approach to this important work. During all four phases of the project, the OPS has undertaken a number of complementary initiatives to support and enhance its work related to the Minutes of Settlement.

This fourth and final phase of the OPS Gender Project was informed by the findings in Phases I, II, and III. Along with extensive work to revise and finalize the new and/or amended OPS policies and procedures submitted in draft form as part of Phase III, Phase IV included:

- A gender audit by Dr. Carina Fiedeldey-Van Dijk and her team at ePsy Consultancy on the finalized policies and procedures, again using the Equality Framework© tool;
- The development of an education and awareness plan – including a training program – to ensure all OPS staff are well informed and educated about the new OPS policies and procedures;
- Consultations with OPS members to explain the changes to policies and procedures, and to identify specific concerns;
- The first use of the new approaches to OPS transfer and promotion processes; and
- Additional research by Dr. Linda Duxbury and her team comprised of in-depth interviews with OPS members to delve further into some of the cultural issues and other barriers identified during their Phase III survey.

MINUTES OF SETTLEMENT OBLIGATIONS

The deliverables to be completed during Phase IV under the Minutes of Settlement were to ensure:

- The finalization of the new and/or amended promotion and job placement policies, and procedural and structural elements to support these policies;
- The provision of training to employees on the new and/or amended promotion and job placement policies; and
- The provision of training to all staff on the new and/or amended human rights accommodation policy (*Now the Equitable Work Environment policy*).

PHASE IV COMPLETED DELIVERABLES

In accordance with the Minutes of Settlement requirements described above, the OPS has submitted the following new and/or amended policies to the Ontario Human Rights Commission. While some components and changes were implemented early in the process, all received final approval from the OPS Senior Leadership Team on Oct. 23:

- Amended Promotion Policies for sworn members (with associated procedural and structural supports), including:
 - Sergeant Promotional Process
 - Staff Sergeant Promotional Process
 - Inspector Promotional Process
- A new Transfer of Sworn Personnel Policy (with associated procedural and structural supports), including:
 - Fixed-Term and Anchor Position Selection Process

- Developmental Rotation Position Selection Process
- A new Equitable Work Environment Policy, including:
 - A Process and Procedure for Prevention of Discrimination and Accommodation based on Sex (including pregnancy)
 - A Process and Procedure for Prevention of Discrimination and Accommodation based on Gender, Gender Identity, and Gender Expression
 - A Process and Procedure for Prevention of Discrimination and Accommodation based on Family Status
 - A Process and Procedure for Prevention of Discrimination and Accommodation based on Disability
- The OPS also submitted an overview of the training plan to educate OPS staff (modeled on OPS Bias-Awareness Training):
 - Module 1 – Understanding bias
 - Module 2 – GBA+
 - Module 3 – New OPS policies & procedures

OPS POLICY CHANGES

The new OPS policies and procedures were developed, revised and finalized based on comprehensive consultations with subject-matter experts Dr. Carina Fiedeldey-Van Dijk and Dr. Linda Duxbury.

The OPS Gender Project Team also held two sessions with the OPS Policy Committee, comprised of Directors and Inspectors, who recommended further amendments. The revised policies and procedures were subjected to another gender audit using the Equality Framework© Tool, and reviewed by OPS Executives prior to receiving final approval from the OPS Senior Leadership Team on Oct. 23, 2017.

During the development of the new policies, efforts were made to address specific gaps and barriers that had been identified, and to enhance OPS members' confidence in the processes.

Promotion Policy – Highlights

The amended OPS Promotion Policy now includes provisions for applying while on leave, ethics statements for panel members and process administrators, a Supervisor Confirmation Form, and expanded experience considerations. To enhance members' confidence in the process, the revised promotion policy also includes an independent facilitator, a bias neutral review of questions and scoring guides, and education for all involved in the process. It also strives for diverse representation on panels.

Transfer Policy – Highlights

The amended OPS Transfer Policy includes the same revisions as the OPS Promotion Policy, and introduces three new concepts: Voluntary Self-Identification in accordance with protections under the *Ontario Human Rights Code* (to be considered during placement, not selection); a Gender Demographic Review (to be considered during placement, not selection, in accordance with Section 14 of the *Code*, which governs “special programs” designed to help people who have experienced discrimination or disadvantages to achieve equality); and an Accommodation Placement Process.

Equitable Work Environment Policy – Highlights

The new OPS Equitable Work Environment Policy addresses gender with the following provisions: pronoun of choice; protection from gender-based harassment; a commitment to transitioning employees; washroom and change-room facilities of choice; and gender demographic representation on all decision-making bodies. It addresses families by taking into account the realities of contemporary families, and endeavours to create a work environment that supports caregiving responsibilities. It also introduces formalized processes for Family Status Accommodations, Formal Medical Accommodations, and Maternity, Parental and Pregnancy-related Accommodations.

PHASE IV EQUALITY FRAMEWORK© TEST

Methodology

Building on the feedback received during the Phase III gender audit, a larger collection of written data sources were revised for the further gender audits in Phase IV (in two separate rounds). In other words, while the written data sources in Phase III were highly targeted, those submitted in Phases II and IV were comprehensive in scope, allowing the OPS to track its progress towards meeting the thresholds of the Equality Framework©.

Round 1

During Phase IV, 59 documents (totaling 392 pages) were submitted for the first round of gender auditing.

These were classified according to type in order to glean enhanced insights, and to identify critical documents for further improvement.

The two gender audits conducted during Phase IV were performed in a manner consistent with the methodology reported in Phases II and III.

Results

An organization must score 61%, or higher, on average, in order to be considered compliant with gender equality standards based on the Equality Framework©. The OPS has shown continuous improvement over the course of the three gender audits conducted as part of this Gender Project.

The OPS achieved a passing score of 63% on the six Type-1 critical documents resubmitted after further improvements, compared to an overall audited outcome of gender equality for the seven Phase III documents of 56%, and just 36% for the corresponding Phase II documents.

A comparison of specific Phase II, Phase III and Phase IV gender audit scores across the four key elements that comprise the Equality Framework© is shown below:

Criteria	Phase II Score	Phase III Score	Phase IV Score	Difference
Strategic Command	31.8%	56.9%	64.0%	+7.1
Practical Capacity	23.3%	58.0%	66.6%	+8.6
Liabile Compliance	20.1%	46.5%	61.6%	+15.1
Work Culture	35.9%	62.1%	59.8%	-2.3
Overall	37%	56%	63%	+7.00

The Phase IV documents show a steady and meaningful improvement across the 20 criteria. Continued efforts will be made to target the specific framework criteria.

PHASE IV: COMPLEMENTARY WORK

The Culture Underlying Barriers

All change management programs like this gender initiative identify culture as a key component that requires attention. The results of the gender audits conducted throughout the OPS Gender Project confirm this is true within our own organization. These changes will have wide-ranging impacts on everything from attitudes towards the Gender Project to trust in OPS processes and overall employee engagement.

As a follow up to the survey conducted during Phase III, Dr. Linda Duxbury and her research team at Carleton University's Sprott School of Business conducted in-depth interviews with sworn members over the summer of 2017. Their aim was to help the OPS better understand some of the cultural issues it faces, and to seek further information in three key areas:

- Promotion - The decision making processes male and female officers with and without children use to make the decision as to whether or not to seek a promotion;
- Transfer - The decision making processes male and female officers with and without children use to make the decision as to whether or not to seek a transfer; and
- Career Decisions - How “police couples” within OPS (where both spouses/partners are sworn members) make career decisions within the family.

Methodology

Interviews were conducted with 127 officers who had volunteered to participate in follow-up interviews at the time of the original survey.

The interview sample contained equal representation of men and women. A strong majority of the interview subjects were married, and half had children under 12 at home. Almost all the officers who participated in the interviews had more than 10 years of experience. Half held the rank of constable, and half the rank of sergeant or above. They most commonly worked in investigative units or patrol.

Results summary

The interviews found that OPS employees have mainly altruistic reasons for being a police officer, in that they want to help others, fulfill a childhood dream, to be a leader in the community or give back to the community. They were also attracted by the dynamic and active nature of the job. Very few officers, however, stated they were attracted by the pay and benefits offered by a career in policing.

Making a difference and being satisfied were substantively more important components of career success for female officers, while male officers were more likely to link career success to promotion and advancement.

The interviews also generated insights into how OPS members view the culture of the organization, as well as the transfer and promotion processes.

Some of the key insights gleaned from these interviews are described below:

- 85% describe OPS culture in negative terms
- 86% say the culture has impacted their behaviour at work
- Men rely more on internal networks and relationships for advancement, whereas women are looking for objective, accessible processes
- There are perceptions of bias and preferential treatment in transfer and promotion
- Success in transfer and promotion is seen to be too closely tied to cultivating relationships rather than having the knowledge, skills and abilities (KSAs)

- Concerns about staffing and access to opportunities are prevalent

THE TRANSITION FROM GENDER “PROJECT” TO “PROGRAM”

Now that the OPS has completed its requirements under the Minutes of Settlement, we are taking steps to ensure that the legacy of the Gender Project will be a fundamental change in the way the organization operates. The first – and arguably the most critical – step will be a comprehensive education and awareness strategy.

Education and Awareness Strategy

The OPS has been working with the Centre for Intercultural Learning at Global Affairs Canada to develop a training program in accordance with Phase IV of the Minutes of Settlement.

The \$75,000 program, which will launch in early 2018, is designed to educate all OPS members about human rights, GBA+, bias, and the new OPS policies and procedures. Key OPS staff (30 members in total) will be trained to deliver in-class educational sessions to 400 Senior Officers, Staff Sergeants, Sergeants, Managers, Supervisors and other process administrators to ensure sustainability of the program.

Complementary online training will be delivered to all 2,000 members in three modules:

Module 1 will focus on bias, and will help participants understand the difference between biases and stereotypes, identify their own personal biases and develop strategies to overcome workplace issues related to bias.

Module 2 will educate participants about the Gender Based Analysis Plus (GBA+) model and help them challenge their assumptions about gender.

Module 3 will provide an explanation of the new OPS policies and procedures on Transfer, Promotion and Equitable Work Environment, using scenarios to illustrate when the various anti-discrimination and accommodation procedures and processes would apply.

In addition, specific education programs will be developed for the Resourcing and Development Directorate, the Planning, Performance and Analytics Directorate, and the Professional Development Centre.

Internal Communications Strategy

The OPS held a series of focus groups in October 2017 with a total of 25 sworn members who were identified as leaders at different levels of the organization. The purpose was threefold:

1. To explain the changes to OPS policies and procedures and provide an opportunity for questions;
2. To identify specific concerns and perceptions related to the Gender Project and the related policy changes; and
3. To solicit their ideas about the most effective ways to communicate the changes to the OPS membership as a whole.

Key themes that emerged from these focus groups included:

- Lack of communication from the Gender Project Team about the initiatives
- Incorrect information being communicated by supervisors
- Concerns about qualified candidates being overlooked
- Concerns about lack of opportunity and reverse discrimination
- Concerns about staffing and the ability to meet operational needs
- Skepticism about the sustainability of equity-related changes
- Lack of confidence in the accommodation process and the rigour associated with it

Following these consultations, the OPS determined that there is a need for an internal communications strategy to begin to educate OPS members about the policy changes and what they will mean prior to the rollout of the training program in 2018 – and also provide them with an opportunity to express their concerns, ask questions and seek clarification from subject-matter experts.

To this end, the OPS will hold in-person briefings for all Staff Sergeants, Managers, Inspectors and Directors to educate them about the policy changes and enable them to answer some of their officers' questions.

This will be followed by a series of open houses during the weeks leading up to the launch of online training, where members will be pulled off duty at designated times in order to learn about the changes. Subject-matter experts from the Gender Project Team and the Ottawa Police Association will attend both the supervisor briefing and the open houses in order to answer members' questions and address specific concerns.

GBA+ Pilot Initiatives

The first opportunity to use some of the new approaches that have grown out of the OPS Gender Project presented itself during September 2017, with the launch of the Developmental Rotations Program pilot.

The new approaches were also implemented as part of the following processes in the past few months:

- **Staff Sergeant and Inspector Promotional Processes**
 - Diverse selection panels
 - Bias review of interview questions
- **Accommodation Placement**
 - Priority placement process for medically accommodated officers
- **Family Status Accommodation**
 - Family status customized plan

Indicators of Change

Addressing gender issues within the OPS is a long-term proposition. The kind of cultural shift required will not happen overnight. We have already experienced some resistance within the OPS as we move forward in applying some of the new approaches developed as a result of this important work. This is, in and of itself, an important indicator that real change is happening as we move from the project phase towards implementation.

Another sign of change is that more women within the organization are coming forward with complaints related to gender. This is an indication that female OPS members know the organization is taking gender-related issues seriously.

It's early days yet and many OPS employees – men and women alike – remain skeptical, both about whether the new policies will make a difference and, if so, what they will mean for their careers. Many male officers are concerned that their careers will now be stalled as the OPS looks to right the gender balance. Meanwhile, female officers worry that they will be perceived as having been chosen for an opportunity based on their gender, rather than on merit.

As our gender work makes the transition from “project” to “program,” our hope is that this will become a restorative process for the organization – one that demonstrates that all OPS members have a voice, and the opportunity to make a valuable contribution.

Anecdotally, there are positive signs that the Gender Project has helped change the conversation around gender within the organization. There is a sense of excitement that the playing field is being leveled, that qualified female candidates now have equal opportunities to advance within the OPS.

GBA+ Work Plan

Going forward, the OPS will continue to work towards incorporating all six elements of the GBA+ Framework into the organization. This will include:

- The establishment of an EDI Office (*Responsibility Centre*)
 - Participate in the newly national network on policing and gender
- Implementation of the Education and Awareness Strategy (*Training and Tools*)
- Ongoing evaluation of policies and programs (*Monitoring*)
 - Review of other barriers
 - Allocation of OPS Training
 - BFOR Review of sworn job descriptions
- 2017 Workplace Census (Needs Assessment and Monitoring)
 - Review and analysis of data
 - Gender audit using Equality Framework©
- Alignment with other initiatives and sharing of lessons learned (*Statement of Intent*)
 - Multi-year Action Plan for Bias-Neutral Policing
 - Wellness initiatives

FINANCIAL IMPLICATIONS

Costs related to Phase IV of this project (the Equality Framework© Test, OPS Member Interviews and Education and Awareness plan) totalled approximately \$100,000.

SUPPORTING DOCUMENTATION

Document 1: OPS Gender Project: Final Report (available upon request)

CONCLUSION

The OPS began this project to meet the obligations of the minutes of settlement. However, in the early stages of this work it was clearly shown that meeting the obligations of settlement would not go far enough in addressing the issues of family status and gender within the OPS. Throughout our work on this Gender Project, the OPS has sought to go above and beyond the requirements of the Minutes of Settlement with the aim of creating real, positive change in our organization.

In Phase IV, as in Phase III, the OPS engaged the key stakeholder and other parties to the Minutes of Settlement, and will continue to work with them as we move towards transitioning our gender work from “project” to “program.”

With the submission of this report, the OPS has completed all its obligations under the Minutes of Settlement that resulted from the human rights application filed with the Human Rights Tribunal of Ontario by a female OPS officer on Aug. 16, 2012.

The OPS understands that new policies and procedures are only the first step towards creating tangible change as it works towards its equity, diversity and inclusion objectives.

Changing the culture within the OPS is a long-term goal that represents our greatest challenge but also has the potential to make the biggest impact. Our aim is to embed the values of EDI alongside the OPS values of Honour, Courage and Service at every level of our organization. The Gender Project has laid the foundation, but there is still much work to be done.