

Report to / Rapport au:

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

28 March 2022 / 28 mars 2022

Submitted by / Soumis par:

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SUBJECT: POSITIVE WORKPLACE: 2021 ANNUAL REPORT

OBJET: MILIEU DE TRAVAIL POSITIF : RAPPORT ANNUEL DE 2021

REPORT RECOMMENDATIONS

That the Ottawa Police Services Board (the 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.

BACKGROUND

The Ottawa Police Service (OPS) strives to provide a positive workplace that exemplifies the organization's vision, mission, and values. Members who work for the OPS can expect a work environment that promotes and offers personal and professional standards, equity, diversity, inclusion, and non-discrimination.

This is in direct alignment with the OPS' novel approach to change; the core components are made up of the principles of Duty of Care, Rebuilding Public Trust, and Community Safety and Well-Being. These concepts will act as a barometer for how we treat each other, how we make decisions that affect our members, and how that

translates into how our language, conduct and actions impact public trust. Both internal and external trust can be achieved through fair and transparent interactions.

The available research indicates that perceived organizational support (organizational justice) is a critical component to the engagement of police officers. If members believe their organization supports them, they remain engaged internally and with the community. If they don't feel the support is there, engagement drops. Part of our mission is to make ethical thinking a core component of training, decision-making, actions, behaviours and work relationships.

In 2007, the OPS launched the Respectful Workplace Program (RWP). This innovative program was a concrete response to feedback from members about the need to address conflict, harassment, and discrimination in the workplace. The OPS is seen as a leader in policing in strengthening respect in the workplace. Many other police services are developing, or have modelled, their programs based on the OPS initiative.

In 2017, the OPS established the Office of Respect, Conduct and Values (ORCV), reporting to the Director General, to reflect the importance of this work in creating a positive work environment within OPS. The Respectful Workplace Program was managed within this office.

In 2018, the mandate of the ORCV was expanded to include ethical matters. In the middle of 2020, the office underwent a title change and it became the Respect Ethics Values Unit (REV) and is now housed in the newly formed Respect Values Inclusion (RVI) Directorate. At this time, the title of the person who manages and supports the work of the REV Unit, experienced a title change as well – Director, Respect Ethics Values.

In 2020, the launch of a progressive Joint Strategy on Workplace Sexual Violence and Harassment (JS-WSVH) project marked the long-term commitment from the OPS leadership and the Board to prevent and understand workplace SV&H, meaningfully support and respond to complainants, respondents, and bystanders, and restore a safe, equitable workplace for all members. It reflects our on-going commitment to member wellness, to eliminating sexual violence and harassment in the workplace, and to addressing intersectional systemic issues such as gender-based discrimination, racism, and homophobia.

As part of the project, OPS and the Board initiated a six-month pilot project with an external third-party law, Rubin Thomlinson, to receive and investigate workplace complaints. This pilot has been extended up to Q2 of 2022 to provide OPS with adequate time to implement key foundational components of the plan. The Safer

Workplace Action Program was presented to both OPS Command in January 2022 and to the Board on January 24, 2022 and forms one of several OPS' priorities for Budget 2022. It is planned to have the Independent Office of Workplace Investigators fully resourced and ready to receive and investigate internal complaints by July 1, 2022.

Annually, under Board Policy CR1, the Chief is required to report to the Ottawa Police Services Board (Board) on the usage and outcome of the Respectful Workplace Program (RWP) and create and maintain a positive work environment for members of the OPS. This report fulfils that reporting obligation. This report will take into consideration the work that was done before, during and after the above changes were made.

DISCUSSION

Changing the Approach to Workplace Conflict

The RWP is a comprehensive and proactive approach to managing workplace conflict, harassment, and discrimination issues. The program includes several elements:

- Policy – A policy is in place to guide employees on respectful behaviour in the workplace, and to outline the avenues open to them when they encounter disrespectful behaviour.
- Training – All employees, students, and volunteers are trained on the program so that the expectations of working in a respectful workplace are known by all.
- Professional Guidance and Support – The program is actively managed and supported by the Director, Respect Ethics Values, who ensures that issues that arise in this area are handled in accordance with the program guidelines.

In March 2020, the OPS launched the SVH strategy. It was created as a joint initiative by both the OPS and the Board. The SVH project's objective was to develop a Service-wide strategy and framework that would focus on understanding, supporting, responding, and preventing sexual violence and harassment at the OPS. The overall mandate and mission are to ensure that the OPS offers a safe, supportive and inclusive work environment for all members, and an overall organizational culture of respect, openness, and high standards for professional and equitable policing that is reflective of our core values. Over the course of the SVH project, it became clear that members were asking for an independent party to handle workplace harassment and discrimination complaints and investigations.

The OPS pilot project with RT was extended to the second quarter in 2022 to provide OPS the time needed to initiate the implementation of the Safer Workplace Action Plan. Throughout January 2021 and up to Q2 2022, files relating to RWP and SVH have been and will be handled through RT. The firm was also contracted to do an independent workplace assessment of OPS culture, regarding sexual violence and harassment. The findings were made public in January 2022. The recommendations will chart the course for change at the OPS.

With that said, the OPS has been a leader with the RWP. The program is focused on achieving resolutions to workplace conflict, harassment, and discrimination - where it exists - through face-to-face discussion, increased self-awareness, and learning about the perspectives of others. This approach allows for the successful resolution of work-related issues.

The program has measured its success by being available for consultation to all employees, operational managers, the Executive, the Ottawa Police Association (OPA), and the Senior Officers Association (SOA), on matters requiring guidance when it comes to issues of a respectful workplace and overall communication skills and conflict management. This proactive and well-supported environment has been well received by OPS members.

At present, the RWP sets out two basic approaches to resolving conflict, harassment, and discrimination matters: 1) Assisted Response and 2) Self Initiated Response.

If an employee chooses the Assisted Response approach, they will work with the Director, Respect Ethics Values, or a member of the REV team, when dealing with an issue and work towards a resolution. The volume and nature of these activities are reported below.

If an employee chooses the Self Initiated Response approach, the person who is affected (the complainant) will speak directly to the person with the offending behaviour (the respondent), requesting that the offending behaviour cease. Although the Self Initiated Response may occur more often than reported, only those cases that have been brought to the attention of the Director, can be reported below for statistical purposes.

2021 Activity

The 2021 activity in the program has had increased volume and is summarized in the table below.

Single Based Case refers to a case with one or two complainants or respondents, and a Group Based Case refers to a case with multiple complainants and/or respondents.

Professional Consultation refers to cases that were brought to the attention of the Director Respect Ethics Values, for purposes of consultation and eventual action. Many of these cases were brought forward by a supervisor and involved consultation and guidance to deal with a RWP issue before it escalated. This category was introduced in 2014 to capture these types of issues. These cases were previously categorized under the miscellaneous category.

Miscellaneous Case refers to cases that are brought forward and usually require a response about the RWP policy.

Due to the confidential nature of the information, neither names nor case specifics will be disclosed, in order that the parties involved remain anonymous and the information confidential.

The protocol for reporting changed in the 2011 Positive Workplace Report. Only cases opened in the specific calendar year are shown in the data summaries. Cases that are ongoing from the previous year are documented later in this report.

Summary of 2021 Activity

	Self-Initiated Response			Assisted Response			Total Number of Cases		
	2019	2020	2021	2019	2020	2021	2019	2020	2021
Single Complaints	5	1	0	25	39	43	30	40	43
Group Complaints	1	0	0	2	1	3	3	1	3
Professional Consultations	4	0	0	21	16	26	25	16	26
Miscellaneous	0	0	0	3	0	0	3	3	0
Total	10	1	0	51	56	72	61	60	72

Of the 72 RWP cases managed this year through the REV Unit, there were 43 single complaints, three group complaints, 26 were classified as professional consultation, and none were registered in the miscellaneous category. All the files were in the Assisted Response stream.

It is challenging to chart any patterns as the cases come from different directorates and work areas, and there has not been a recurring, concentrated pattern of concern. This is also due to the high level of employee movement in the organization, which makes it difficult to pinpoint specific areas of concern.

However, when multiple files are opened on the same individual, flags are raised, and the concerns may be highlighted to senior management or other disciplines for assistance. There were several cases this year that met that criteria and they have either been resolved through a multi-disciplinary unit approach or are ongoing and are awaiting resolution.

In addition, in 2021 a total of seven workplace violence concerns were raised through the Wellness and Safety Unit (W&S). Four cases have been resolved using the Internal Responsibility System, as prescribed by the Occupational Health and Safety Act. Three cases are ongoing at the end of 2021 and are being handled through either internal or external investigation.

2021					
Case #	Case Type	# and Gender(s)¹ of Complainant(s)	# and Gender(s)¹ of Respondent(s)	Resolution	Status
1	Workplace Harassment	Multiple complainants	At least 2 respondents (1 M, 1 F)	W&S conducting internal reviews of complaints of workplace harassment. RT will be conducting full investigation in 2022	Ongoing
2	Workplace harassment and violence	Multiple complainants	1 F	Workplace risk assessment performed in 2019. Respondent was off work on	Ongoing

				<p>medically supported leave but has returned to work in 2021. One complainant is currently off work on sick leave. OPS and OPA will be going to conciliation upon the complainant's return. RT is conducting investigation.</p>	
3	Workplace harassment	1 F	1 M	<p>W&S will be conducting internal review of the workplace harassment concern. The respondent is a member of the public.</p>	Ongoing
4	Workplace harassment and violence	Multiple complainants	1 M	<p>Safety plan in place for complainants who have requested safety measures. Respondent's chain of command will</p>	Resolved

				provide close supervision of member.	
5	Workplace violence	Multiple complainants	Unknown number and gender of respondents	Resolved through chain of command using the Internal Responsibility System as prescribed by the <i>Occupational Health & Safety Act</i>	Resolved
6	Workplace harassment	1 F	1 M	Resolved through chain of command using the Internal Responsibility System as prescribed by the <i>Occupational Health & Safety Act</i>	Resolved
7	Workplace harassment	1 F	1 M	Respondent is no longer an employee of the OPS.	Resolved

Case Conferences

Case conferences are another management tool established at the OPS to deal with significant and complex employee issues, including RWP issues affecting the workplace. They promote positive employee relations, transparency, and consistency in the management of workplace issues. This approach involves bringing together the appropriate resources and expertise from various in-house disciplines to discuss and implement an action plan and establish a time frame to resolve or develop a course of action to deal with the identified issues.

Employee Breakdown

	Female Civilian	Female Sworn	Male Civilian	Male Sworn	Total Number of Employees
Single Based Clients	22	17	7	31	77
Group Based Clients	3	8	12	8	30
Professional Consultations*	9	13	4	19	45
Miscellaneous	0	0	0	0	0
Total	34	38	23	58	152

* The REV Unit interacted with more members of the OPS than were documented on the table above. Some of the Professional Consultations files were resolved without knowing the name or gender of the respondents. This is due to the nature of the interaction.

As shown in the table above, there was practically equal representation based on gender. Civilian members were less involved than their sworn counterparts in single cases, which makes sense as there are fewer civilians than sworn at the OPS. As well, with the Director having moved back to headquarters at Elgin Street, there is more opportunity for the sworn to seek assistance, as there is an increased comfort level. The incidents occurred at various police stations/buildings and occurred during working hours.

Of the single and group complaints, most cases have been resolved, however, five files remain open or are ongoing and carried over into 2022 for resolution.

Not shown in the table are the five cases carried over from 2020. They have been resolved and were closed in 2021.

The top two categories of disrespectful behaviour this year were:

1. Personal harassment in the form of bullying, intimidation, yelling, swearing, rumours, and conflict.
2. Disrespectful communication related to inappropriate behaviour, gossip, and general lack of respect.

The single-based cases were dealt with on an individual basis and the resolutions included: facilitated dialogue; investigation; mediation; or supervisor response. The group-based cases were dealt with via workplace assessment and group interventions. The cases were closed and resolved in a mutually acceptable manner.

Complaint/Activity Type		
Type	Number	Percent
Ethics Breaches	5	6.94%
Respect	15	20.83%
Authority	5	6.94%
Harassment	27	37.50%
Sexual Harassment	4	5.56%
Discrimination	1	1.39%
Culture Issue	7	9.72%
Leadership Support	8	11.11%
Total	72	100.00%

Ethics Portfolio

In May 2018, a temporary position (Staff Sergeant – Ethics Project) was created within the ORCV (now re-named and re-branded the REV Unit). In March 2019, this position was re-named Service Sergeant Major (SSM). As well, the Ceremonial Sergeant Major (CSM) position was staffed full-time to work alongside the SSM in the REV Unit. Both of these positions reported to the Director Respect Ethics Values and they were the ears and voice of the frontline to the Chief and vice-versa. These positions were key to the project work which the Service was undertaking to create a permanent ethics program within the OPS.

In 2020, with the changes that occurred mid-year with the creation of the RVI Directorate and the REV Unit, the SSM and CSM positions reporting structure and mandate were changed. The SSM and CSM positions reported directly to the Chief and the REV Unit was outfitted with a Staff Sergeant Conflict Ethics and Risk Management, and a Sergeant Ethics and Risk Detection. As the research shows, a robust ethics program supports the professionalization of policing, which in turn promotes public trust.

Trend Analysis

Year-to-year variation in the number of cases is expected. As the OPS continues to collect and analyze data in future years, with the assistance of upgraded technology and the introduction of new Staff Sergeant and Sergeant positions with a new mandate, the ability to provide meaningful statistical analysis may improve. With enhanced processes and increased technological capability, the REV Unit would be in a better position to identify cultural issues that may be brewing and report metrics in a timely manner. This will allow for objective determination of whether observed year-over-year variations are significant in nature, or simply within normal variation.

As well, with the Ethics portfolio becoming a part of the REV mandate, along with the SV&H Strategy including the Prevention Pillar and the Conflict Management Process in general, the issues being raised will highlight various concerns and create a wider breadth for discussion, training, and resolution of issues and employee concerns.

Establishing Rapport and Relationships

To maintain the credibility and raise awareness of the RWP and Ethics portfolio, it is important for the REV Unit to establish rapport and relationships throughout the organization. With COVID 19 restrictions still in effect during 2021, many of the regularly scheduled engagements and meetings were canceled. For those that were not, they were handled through various online platforms. Throughout the year several presentations were given to:

- The Chief of Police
- Advanced Patrol Training Course
- Special Constable Training
- Primary Leadership (PLC-Coach course)
- Presentation Anti-Racism CEC-Sub Committee
- Presentation on Emerging Issues CEC-Sub Committee
- Presentation to Ottawa Coalition to End Violence Against Women (OCTEVAW)
- Presentation to Ottawa Victim Services (OVS) and Violence Against Women (VAW)
- Pre-OPC Ethics Training
- PD Day Training
- The Spark Strategy Workshops – the week of October 5 and the week of October 19
- New recruits and experienced officers – RWP and Ethics Training
- Call Centre employees - RWP Training and REV Mandate
- Major Case Management – Ethics course
- Various Platoons – REVConnects - REV Strategy, Mandate and Ethics

The Director of the REV Unit and her team participated in several initiatives at OPS:

- Competency development process for Performance Management and Talent Development Unit and Degreed
- Sexual Violence and Harassment Strategy
- International Women's Day
- High Risk Conduct Meeting Process
- Support Panel for Operational Leadership Course
- Support to York Regional Police and Calgary Police Service on REV initiatives and best practices
- The creation of a draft Code of Professional Ethics
- The revamping and updating of the current Respectful Workplace Policy, to be renamed the Workplace Discrimination, Harassment and Violence Policy

- The creation of a draft Conflict of Interest Involving Personal and Family Relationships Policy, with input from the Staff Sergeant Meeting (SSM), Patrol Advisory Group (PAG), Sergeant Advisory Group (SAG) and the Champions of Professional Practice (COPP)

To profile the work of the OPS, the Director has invested in external networks in the RWP and Ethics communities. The Director attended an EDI training session called the “DI Unconference,” and sits on various committees regarding harassment, conflict and ethics, as well as being a member of the CACP Ethics Committee and the Multi-Jurisdictional Respectful Workplace Workshop – comprised of multiple police services seeking the best way to deal with respectful workplace issues.

As part of this workshop, the Director of REV, was a contributor to a white paper entitled “Transforming Police Culture in the Police Service.” This white paper will be the springboard to further work on this topic, with multiple police partners, to change police culture.

There were multiple changes in staffing in the REV unit, during the third quarter of 2021 and the first quarter 2022. With this change of staff, the new members who came into the unit required an upgrade of their skillset. They completed courses in Foundational Mediation and Advanced Mediation.

Respect Ethics Values 2022 Work Plan – Enhancing the REV Unit

Several key initiatives for 2022 have been identified to ensure that respect, civility, and ethics are at the forefront of all OPS processes, practices, and decisions.

The REV Unit was instrumental in developing and creating an expanded Conflict Management Process and Ethics Program at the OPS. This strategy includes a logic model, that embeds the principles of: Duty of Care, Rebuilding Public Trust, and developing Community Safety and Well-Being. Our strategy emphasizes that our unit provides a supportive role, training in ethical decision-making, support to leadership in different areas, conflict management, and workplace restoration. Feedback was applied from members from across the organization in developing and refining this strategy. Those consulted included members from Patrol, Neighbourhood Resource Teams (NRTs), Communications Centre, Equity, Diversity and Inclusion (EDI) Unit, Professional Development Centre, the Police Reporting Unit, Professional Standards Section, Recruiting, the Pandemic Team, and Community Policing, among others. There was also an opportunity for external consultation with members of the community.

Ethics is about decision-making (continuous assessment of right and wrong), and conflict can be a byproduct of decisions, their consequences, and their outcomes, even

when the decision was “right.” The available research indicates that perceived organizational support (organizational justice) is a critical component of engagement for police officers. If members believe their organization supports them, they remain engaged internally and with the community. If they don’t feel the support is there, engagement drops.

Part of our mission is to make ethical thinking a core component of training, decision-making, actions and behaviours, as well as work relationships. We are also there to support existing ethical decision-making and mitigate lower-level misconduct in a non-disciplinary but growth-focused manner, and support our members; all through the lens of enterprise risk management.

Through the Spark Strategy initiative – which was coordinated and facilitated by the REV Unit - we developed the Champions of Professional Practice (COPP). This is comprised of a group of members - both sworn and civilian - who will be ambassadors for the strategy, and act as force multipliers for positive culture change and engagement. The benefits in terms of early complaint resolution and positive interactions are evident in terms of improving workplace culture. This, along with leading the Prevention Pillar of the SVH strategy, will allow us to demystify and destigmatize these issues and work towards enhancing the professionalism at OPS.

The members of COPP, will assist the REV Unit in the new Bystandership Training, which is being rolled out with Train-the-Trainer sessions in the first quarter 2022. These facilitators will then train middle management, with the expectation that the whole membership will be trained by the fourth quarter, 2023. The COPP will also assist in communicating the Spark Strategy. They will create a communications blitz regarding sexual violence and harassment and provide input on policies on relationships in the workplace.

CONCLUSION

The OPS is committed to a respectful workplace. The RWP continues to be effective and is an excellent example of the tools we have to ensure all members can feel their concerns are being heard and addressed.

Under the umbrella of the REV Unit in the RDI Directorate, an enhanced Conflict Management Process and Ethics Program, continues to evolve to complement the existing RWP work. The Director of REV created a robust business plan for the creation of an Integrated Conflict Management System (ICMS). This unit is mandated to prevent and manage workplace conflict and ethical dilemmas.

There is a tremendous need and there have been multiple requests (72 files in 2021), to approach the resolution of conflict and to realign unethical behaviour via the internal unit that was created for this purpose from within the organization. Based on years of experience both at the OPS and in other organizations, and in order to not attract public scrutiny and negative media attention, the OPS needs to prioritize the staffing of the REV Unit and create and formalize an internal mechanism to resolve conflict and improve organizational culture. Having the capacity to deal with issues of conflict, resolution, and restoration within the Service, will translate into increased trust amongst the members, which will, in turn, translate into increased trust from the community.

The continuous promotion of a respectful workplace, founded on principles of respectful communication, teamwork and the overall social and psychological well-being of each employee is paramount. This in conjunction with working together with management and the Associations to bridge gaps and broker conflicts will foster and promote respectful interactions and be in keeping with the OPS overall mission and values.