



## TORONTO POLICE SERVICES BOARD

### Board Relationship with the Chief of Police

The most significant day-to-day relationship the Board has is with its Chief of Police. In its role of prescribing policy for the operation of the police service and to ensure its efficient management, the Chief of Police is the primary source of information and assistance.

In practice, this is an interactive relationship, with the Chief of Police attending all meetings of the Police Services Board, where policy and management issues are fully discussed. A considerable portion of every Board agenda consists of communications from the Chief of Police. It is the role of the Chief to implement, through the day-to-day operation of the service, the policies and management practices enunciated by the Board.

Section 31(3) and 3 (4) of the *Police Services Act* state:

"The Board may give orders and directions to the Chief of Police, but not to other members of the police force, and no individual member of the Board shall give orders or directions to any member of the police force.

The Board shall not direct the Chief of Police with respect to specific operational decisions or with respect to the day-to-day operation of the police force."

The above restrictions must be kept in mind at all times. Chiefs of Police and other members of the police service are sworn servants of the Crown — as office holders they are answerable to the law, rather than the Board, in relation to the carrying out of their law enforcement duties.

The Ontario Association of Police Services Board has provided the following guidance to assist Board members in understanding their role. On an ongoing basis, it is critical that candid discussion occur between the Board and the Chief with respect to the community's, Board's and Chiefs philosophies of policing. This ongoing exchange is important and essential for both the Board and the Chief. If either the Board or the Chief is out of sync with acceptance levels in the community, friction will result. Your Chief of Police understands that law enforcement is an area in which Board members are not "experts", and he/she expects you will rely upon him/her for advice, explanations and recommendations on a wide range of policing issues. The establishment of trust is an essential component of the Board/Chief relationship - without it, every issue can become a conflict of having to prove what each asserts. A trusting relationship assures the ability to act quickly and decisively. The relationship between a Police Services Board and its Chief, if truly effective, can best be described as a partnership - not a partnership of equals, but a partnership where each partner knows its own role and does not attempt to do the work of the other. In an effective Board/Chief relationship, each understands and accepts their respective power and authority and enjoys a great deal of comfort, with neither feeling threatened by the other's authority.

#### **The Corporate Model**

The position of a Police Services Board to its Chief could be related to that of a Board of Directors of a large corporation. The Board is answerable, in a very real sense, for the sins of omission and commission of the police service, and therefore must be much more than a passive agency. The Chief then, in the business corporation model, is the operations manager, responsible for giving efficient day-to-day effect to the policies adopted by the Board. It must be realized that the public in Ontario, and even members of the media, have major misconceptions about the respective

roles of Boards and Chiefs. This can be partly attributed to the role of a police commissioner in the United States who, in many jurisdictions, carry out the functions of a Police Chief or "Super Chief". This problem has been recognized by the OAPSB, which has begun to take a broader role in educating the public on the role and responsibilities of Police Services Boards.

### **Overstepping Your Role**

The largest single error made by Boards, or individual members, is forgetting that administration and operations is not their responsibility — it has been and will continue to be the responsibility of the Chief of Police. Those Boards and individual members who commit this error are said to have "crossed the line". Boards that spend their time discussing various makes of office equipment, for example, are performing the Chiefs job and not their own.

Board members must always remember that the Chief of Police reports to the Board as a whole and not to individual members of the Board separately.

### **Monitoring the Performance of the Chief**

The *Act* places upon the Board the responsibility to monitor the performance of the Chief of Police. In order to effectively carry out this function, an objective evaluation with respect to his/her performance over a period of time is necessary. If properly conducted, the evaluation, as a tool for measurement, can assist both the Chief and the Board in identifying the strengths and developmental needs of the Chief. The evaluation will help reinforce or recognize his/her achievements to date, while at the same time pinpoint areas which require improvement.

To evaluate the Chiefs performance, you must first have a detailed job description that clearly spells out his/her responsibilities and duties. If there is no written understanding with respect to the duties of the Chief, an objective measurement of performance cannot take place.

Boards must also have an action plan in place that outlines the goals and objectives of the position. Goals must be measurable and both parties must be able to identify what specific result will be realized if the goal is attained. Toronto Police Services Board enters into an employment contract with its Chief that sets out a performance review process.

Conducting a performance review should be perceived as a positive tool of management. A performance evaluation system promotes a co-operative effort between a Board and its Chief of Police in successfully managing the police service, and charting its future direction. Ideally, a performance assessment should be done on an annual basis to ensure open communication is maintained and the well-being of the police service is fostered through mutual trust and planning.

### **Determining Remuneration for your Chief and Deputy Chief(s)**

Under the *Act* the Board has the responsibility to annually determine the remuneration and working conditions of the Chief and Deputy Chiefs, taking their submissions into account. To assist Boards in obtaining comparable wage information for Chiefs and Deputy Chiefs of Police, the OAPSB conducts an annual survey, the results of which are placed in a labour relations data base which is accessible to boards.

The Board has implemented a salary scale for its Chief and Deputy Chiefs which has a minimum and maximum salary level for the position. On an annual basis, the salary scale could be adjusted to account for costs of living.

As with any performance evaluation, the salary review for the Chief and Deputy Chiefs should be conducted in a professional and objective manner. Ongoing dialogue and discussion should prevent any "surprises" along the way.