



## TORONTO POLICE SERVICES BOARD

### BOARD MEMBERS: CONDUCT COMPLAINTS

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| <b>DATE APPROVED</b>         | December 11, 2003   | Minute No: P344/03                       |
| <b>DATE(S) AMENDED</b>       | November 15, 2010   | Minute No: P292/10                       |
| <b>DATE REVIEWED</b>         | June 13, 2005<br>November 15, 2010  | Minute No: C159/05<br>Minute No: P292/10 |
| <b>REPORTING REQUIREMENT</b> | As set out below  |  |
| <b>LEGISLATION</b>           | <i>Police Services Act</i> , R.S.O. 1990, c.P.15, as amended, ss. 25, 31(1)(c).<br><i>Members of Police Services Boards – Code of Conduct</i> , O. Reg. 421/97, s. 15.<br><i>Municipal Conflict of Interest Act</i> , R.S.O. 1990 as amended, c. M50. |  |
| <b>DERIVATION</b>            |   |  |

It is the policy of the Toronto Police Services Board that:

1. The Chair, or any member of the Board, will be required to bring forward all complaints about the conduct of the Chair or any other member of the Board to the entire Board, at a Board meeting, for review;
2. All complaints will be received in writing with the complainant's name and return address identified;
3. The Chair (or the Vice Chair in the Chair's absence or if the Chair is the subject of the complaint) will make a recommendation as to how the Board should review the complaint;
4. In reviewing the complaint, the Board will consider the following options:
  - a. the complaint is of a minor nature and the affected Board Member should be asked to provide a written response to the complaint;
  - b. the complaint is of such a significant nature that external legal counsel should be retained; or
  - c. the complaint is of a serious nature and the Board should request that the Ministry of Community Safety and Correctional Services ("the Ministry") conduct an investigation into the member's conduct; or request that the Ontario Civilian Police Commission

(“OCPC”) conduct an investigation into the member’s conduct under s. 25 of the *Police Services Act*.

5. The affected Board Member will be permitted to provide a written response to the Board regarding the allegations contained in the complaint;
6. The Board will determine whether to hold its review *in camera* in accordance with the *Act* and whether the affected Board Member should be present during the review;
7. Upon Board review of the complaint, the Board will follow one of the following courses of action:
  - a. receive the complaint and take no action;
  - b. require the member to appear before the Board and be reprimanded (as per s.15 of the *Code of Conduct*); or
  - c. request the Ministry to conduct an investigation into the member’s conduct or request that OCPC conduct an investigation into the member’s conduct under s. 25 of the *Act*.
8. The Board will be aware of its duty of public accountability and provide a public reporting of its review and any actions taken; and
9. That upon completion of a review of a complaint, the Chair (or Vice Chair if the Chair is the subject of the complaint) will be authorized to communicate the Board’s decision to the complainant and affected Board Member. Furthermore, that OCPC be copied on this correspondence.