

**D: CHIEF CONSTABLE TERMS OF REFERENCE**

**1 INTRODUCTION**

- A. The Chief Constable is appointed by, employed by and is accountable to, the Vancouver Police Board (Part 5, s.26(1) of the *Police Act*). The Chief Constable's reporting relationship is to the full Board and not to any individual Board member or the Board Chair.
- B. Part 7, Section 34(1) and (2) of the *Police Act* outline the critical responsibilities of the Chief Constable:
- i) s.34(1) – The Chief Constable of a municipal police department has, under the direction of the municipal police board, general supervision and command over the municipal police department and must perform the other functions and duties assigned to the chief constable under the regulations or under any Act.
  - ii) s.34(2) - The municipal police department, under the chief constable's direction, must perform the duties and functions respecting the preservation of peace, the prevention of crime and offences against the law and the administration of justice assigned to it or generally to peace officers by the Chief Constable, under the regulations or under any Act.
- C. In addition the following excerpts from the *Police Act* help clarify the role of the Chief Constable:
- i) s.26(4) - In consultation with the Chief Constable, the municipal police board must determine the priorities, goals and objectives of the municipal police department.
  - ii) s.26(5) - The Chief Constable must report to the municipal police board each year on the implementation of programs and strategies to achieve the priorities, goals and objectives.
  - iii) s.27(1) - On or before November 30 in each year, a municipal police board must prepare and submit to the council for its approval a provisional budget for the following year to provide policing and law enforcement in the municipality.
- D. The Chief Constable (The Chief) is responsible for the day-to-day management and operation of the Vancouver Police Department (the "VPD") within the parameters established by legislation; and the strategic plan, the annual plan/budget, the objectives and the policies approved by the Board. The Board works with the Chief Constable and senior management to develop and approve the strategic plan, the annual plan/budget and the objectives, and policies.
- E. The VPD, under the Chief Constable's leadership, is created as an independent organization reporting to the VPB. It is imperative, however, that the Chief Constable be sensitive to police issues and developments which may impact or require coordination with City of Vancouver staff, officials or resources. The Chief Constable therefore must

maintain a relationship with the City and the Mayor that fosters timely, informative communication exchanges and avoids surprises.

## **2 DUTIES AND RESPONSIBILITIES**

The Chief has the responsibility to:

### **A. Organizational and Human Resource Leadership**

- i) Provide leadership and vision to the VPD.
- ii) Develop a visible, credible and respected profile for the VPD.
- iii) Provide leadership and guidance to the senior management team responsible for the major divisions of the VPD and ensure that responsibilities and authorities are clearly established.
- iv) Develop and maintain a sound, effective organization structure.
- v) Develop management succession plans, progressive employee training and development programs and review them annually with the Board.
- vi) Foster a culture that promotes ethical practices and encourages individual integrity and accountability.
- vii) Develop, for Board approval, the compensation philosophy and guidelines for the VPD, taking into account collective agreements and City of Vancouver guidelines for exempt staff.
- viii) Develop recommendations for approval by the Board, regarding the appointment and remuneration of the Deputies.
- ix) Maintain and encourage the climate of constructive engagement with the Vancouver Police Union, the Teamsters Local Union No. 31 and the Vancouver Police Officers' Association.
- x) Develop and recommend to the Board a set of personal objectives which the Chief Constable is responsible for achieving over the next performance period.

### **B. Strategic and Annual Operating Plans**

- i) In consultation with the VPB, develop and recommend the strategic planning process for the Board's approval.
- ii) Working closely with the Board, develop the strategic plan for the review and approval of the Board.
- iii) Implement the strategic plan and monitor and report the implementation progress to the Board on a regular basis.
- iv) In close consultation with the municipal bureaucracy, develop the annual budget for Board approval.
- v) Present, together with the VPB Finance Standing Committee Chair, the VPB approved annual budget to Vancouver City Council for approval.
- vi) Implement the annual budget and report progress against the budget to the Board on a regular basis.

**C. Organization and Administration**

- i) Establish effective control and coordination mechanisms for all operations and activities.
- ii) Ensure that the integrity of the internal control and management systems.
- iii) Identify the principal risks to the VPD, review these risks with the Board regularly and implement appropriate systems to manage these risks.
- iv) Authorize commitment of resources and enter into agreements, contracts, leases, etc. in the ordinary course of business provided however, that major commitments, exposures, and risks shall be reported to the Board in a regular and timely basis.
- v) While respecting VPD's need for independence, explore opportunities to share resources with the City of Vancouver and with other police organizations that will enhance operational efficiency and effectiveness.
- vi) Ensure all the activities of the VPD are conducted in accordance with laws, regulations, the VPD's Code of Conduct, sound business practice and in accordance with the policies and practices approved by the Board.
- vii) Ensure that departmental programs and policies are consistent with the strategies and plans approved by the Board.
- viii) Assist the Board in the development of rules and policies required for the appropriate oversight of the VPD.
- ix) Ensure that all VPD's reporting requirements are met in a timely and appropriate manner.

**D. Communications**

- i) Lead the development and implementation of a proactive communications strategy.
- ii) Personally build relationships with community leaders and with the media to foster a climate of openness and trust.
- iii) Manage and oversee the required interfaces between the VPD and the public and acting as the principal spokesperson for the VPD.
- iv) Be proactive in presenting emerging police issues to the Board that may be of concern to the community.
- v) Where operational matters may be likely to spark significant public interest or debate, inform Board members before a public statement is made. This may be done by e-mail or telephone, or via the Board Office.
- vi) Determine which matters are significant or serious enough to justify consultation with the Board before information is released.
- vii) As a general principle the Board Chair or delegate shall speak on behalf of the Vancouver Police Board, ensuring that all statements reflect the current strategy, plans and policies approved by the Board. The Chief Constable or delegate shall speak on behalf of the Vancouver Police Department, ensuring that all statements reflect the current strategy, plans and policies approved by the Board. The Chair and the Chief Constable shall consult, as needed, to ensure the proper coordination, timing, and dissemination of information to meet particular circumstances.
- viii) Direct that all official media releases be provided to the Board, as soon as is practical following release.

**E. Supporting the Board**

- i) Keep the Board fully informed of all significant strategic, operational, financial and other matters relevant to the success of the implementation VPD's strategic plan, budget and rules and policies.
- ii) Act as a principal link between senior management and the Board.
- iii) Provide the Board, at Board and standing committee meetings, with exposure to the VPD's senior management.
- iv) Attend regularly scheduled meetings of the Police Board and as otherwise requested by the Board.
- v) Meet on a regular basis with the Board Chair for the purpose of exchanging timely information so that the Board can be briefed if necessary, but also so the areas of potential coordination, overlap, or conflict with the City can be identified and addressed.

**F. Relationship with the City**

- i) Maintain an open, collaborative and constructive working relationship with the Vancouver City bureaucracy and political leadership. Although the VPD is separate and independent, funding and budget planning are done within the context of the total City budget. It is therefore critical that the Chief Constable establishes a constructive and productive working relationship with the City.
- ii) Police Department Submissions to City Council
  - a) Whenever practical, a representative of the Board and the Chief (or designate) shall be in attendance when a sworn member or civilian employee in the VPD makes a formal presentation to Council or a Standing Committee of Council, unless it is an administrative matter such as zoning change or business license or taxi hearing which is within the purview of the Chief's responsibilities, or to monitor Council or a Committee's discussion.
  - b) The Chief shall take all reasonable steps to ensure that the Board representative is briefed prior to attending a scheduled department presentation to Council or one of the Standing Committees of Council.

**G. Relationships with the Province and other external relationships**

- i) Maintain good working relationships with the Provincial government, especially the Solicitor General and Police Services Division.
- ii) Maintain good working relationships with other police department associations across Canada in order to keep current with the activities of policing in Canada.
- iii) Communicate effectively with federal, provincial and municipal political and bureaucratic leadership in the context of the strategy, annual plan and objectives approved by the Board.
- iv) Approve significant public service commitments and/or acceptance of outside board appointments by the senior management team.
- v) Obtain Board approval prior to acceptance of significant public service commitments and outside board appointments.

**H. Police Act complaints**

- i) In accordance with all provisions of the *Police Act* Part 11, act as discipline authority for conduct complaints (public trust and internal discipline complaints) made against municipal constables of the VPD.

**I. BC Policing Standards**

- i) Provide an annual report to the Police Board and the Minister of Public Safety and Solicitor General on internal CEW controls and monitoring as set out in *BC Policing Standard 1.3.3 (9)*
- ii) Report to the Chair of the Board and the director of Police Services under *BC Policing Standard 1.7.1 (4)* if a person is killed or injured as a result of the discharge of a firearm or proximate to the use of an intermediate weapon by an officer.
- iii) Submit a report to the Chair of the Board if he or she discharges a firearm while on duty; and if a person is killed or injured as a result, immediately submit the firearm for ballistic testing and promptly notify the Chair of the Board and the director of Police Services.
- iv) Promptly notify the Chair of the Board and the director of Police Services if a person is killed or injured proximate to the Chief Constable's use of an intermediate weapon.