



**BY-LAW NO. 293 - 2009**

**A BY-LAW RESPECTING  
THE FRAMEWORK FOR BUSINESS PLANNING  
(AI-001)**

**1. PREAMBLE**

- 1.1 WHEREAS subsection 31(1) of the *Police Services Act* provides that a Board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality and shall:
- b. generally determine after consultation with the Chief of Police, objectives and priorities with respect to police service in the municipality;
  - c. establish priorities for the effective management of the police service, and
  - e. direct the Chief of Police and monitor his or her performance;
- 1.2 AND whereas subsection 31(6) of the *Police Services Act* provides that the Board may, by by-law, make rules for the effective management of the police service;
- 1.3 AND whereas O. Reg. 3/99 prescribes standards for adequacy and effectiveness of police services;
- 1.4 AND whereas section 30(1) of O.Reg.3/99 requires a police services board to prepare, at least once every three (3) years, a business plan that addresses:
- a. the objectives, core businesses and functions of the police service, including how it will provide adequate and effective police services;
  - b. quantitative and qualitative performance objectives and indicators relating to,
    - i. The police service's provision of community-based crime prevention initiatives, community patrol and criminal investigation services;
    - ii. community satisfaction with police services;
    - iii. emergency calls for service;
    - iv. violent crime and clearance rates for violent crime;
    - v. property crime and clearance rates for property crime;
    - vi. youth crime and clearances rates for youth crime;
    - vii. police assistance to victims of crime and re-victimization rates; and
    - viii. road safety;
  - c. information technology;
  - d. resource planning, and
  - e. police facilities;

- 1.5 AND whereas Section 32(1) of O.Reg.3/99 requires a police service board to enter into a protocol with its municipal council that addresses:
- a. the sharing of information with municipal council, including the type of information to be shared and the frequency for sharing this information;
  - b. the dates by which the business plan and annual report shall be provided to municipal council;
  - c. the responsibility for making public the business plan and annual report, and the dates by which the business plan and report must be made public;
  - d. if the municipal council chooses, jointly determining, and participating in, the consultation process for the development of the business plan;
- 1.6 AND whereas Section 32(2) of O. Reg.3/99 provides that every board shall consult with its municipal council, and the school boards, community organizations and groups, businesses, and member of the public in the municipality it serves during the development of its business plan;
- 1.7 AND whereas Section 37(1) of O. Reg. 3/99 requires that every board shall evaluate the adequacy and effectiveness of the services provided by the police service by comparing those services with the requirements of the Regulation;
- 1.8 AND whereas Part AI-001 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the Board, the Chief and Members relative to the legislative framework and model for business planning.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

**2 DEFINITIONS**

- 2.1 "Act" means *Police Services Act*, R.S.O. 1990, c.P.15, as amended;
- 2.2 "Board" means the Regional Municipality of Niagara Police Services Board;
- 2.3 "Chief" means the Chief of the Niagara Regional Police Service;
- 2.4 "Member" means a member of the Niagara Regional Police Service;
- 2.5 "Ministry" means the Ministry of Community Safety and Correctional Services;
- 2.6 "Municipal Council" means the Municipal Council of the Regional Municipality of Niagara;
- 2.7 "Service" means the Niagara Regional Police Service.

**3 BUSINESS PLAN**

- 3.1 The Board shall develop a business plan in accordance with O.Reg.3/99 and this By-law.

## **4 POLICY**

- 4.1 The Board and the Niagara Regional Police Service are committed to providing quality policing to the citizens of Niagara Region. The development of a sound Business Plan that reflects the needs of our communities and of the Niagara Regional Police Service is fundamental to the effective delivery of adequate and effective policing, and it is therefore the policy of the Board to establish a framework for business planning that is consistent with the guidelines provided by the Ministry of Community Safety and Correctional Services and in accordance with O. Reg. 3/99 and this By-law.

## **5 DIRECTION TO CHIEF**

### **5.1 Procedures**

The Chief shall develop and implement procedures that are consistent with the requirements of the *Act*, and O. Reg. 3/99 that provides a co-operative framework for business planning to achieve our legislative responsibilities and respond to community concerns.

## **6 ROLES & RESPONSIBILITIES**

### **6.1 Police Services Board**

The Board has the authority to establish the objectives and priorities of the Police Service. In accordance with subsection 41(2) of the *Police Services Act*, the Chief of Police is required to report to the Board and to obey its lawful orders and directions. The practical effect of these legislative authorities is that the Board develops and approves the process for business planning, monitors the consultation process, leads and participates in external consultations and environmental scanning, ensures data is analyzed and issues identified, participates in planning discussions and identifies policing priorities collaboratively with the Chief of Police, weighs costing factors and approves action plans and funding estimates, shares expectations regarding the success indicators and milestones, and reviews and assess reports from the Chief of Police.

### **6.2 Chief of Police**

The Chief of Police has authority to make the operational and administrative decisions required to operate the Police Service. The Chief of Police business planning policy role is to ensure implementation of this policy; to implement the external consultation process in order to obtain input from the business community, regional and municipal councils, school boards and the public at-large; to undertake internal consultation and organizational review; to analyze data and bring issues forward to the Board; to participate in planning discussions and identify policing priorities collaboratively with the Board; to estimate costs to identified priorities and goals and participate in funding allocation discussions; to provide the Board with details of agreed to policing priorities; and to prepare regular and annual reports.

## **7 PROTOCOL**

- 7.1 The Board shall enter into a protocol with the Regional Municipality of Niagara that sets out the dates by which the Business Plan should be provided to Municipal Council, the responsibility for making it public, and if Municipal Council chooses, jointly determining and participating in the consultation process for the development of the Business Plan, in accordance with Section 32(1) of O. Reg. 3/99 and this By-law.

## 8 *FRAMEWORK FOR BUSINESS PLANNING*

### 8.1 *STRATEGY FOR BUSINESS PLANNING*

8.1.1 The Board, in consultation with the Chief, will prepare a strategy for the development of a business plan that is consistent with the requirements of O.Reg.3/99.

8.1.2 The strategy referred to in subsection 8.1.1. above for the development of a business plan will include consultation on:

- a. an environmental scan of the community that highlights crime, calls for service and public disorder trends within the community;
- b. the results achieved by the Service in relation to the business plan currently in effect;
- c. a summary of the workload assessments and service delivery evaluations undertaken during the existing business plan cycle;
- d. the Board's proposals with respect to the Service's objectives, core business and functions, and performance objectives and indicators for the eight functions set out in the Adequacy Standards Regulation; and
- e. the estimated cost of delivering adequate and effective police services to meet the needs in the draft business plan.

### 8.2 *PERFORMANCE OBJECTIVES*

8.2.1 The Board, in consultation with the Chief, will consider the following factors when developing performance objectives:

- a. the Service's existing and/or previous performance and estimated costs;
- b. crime, calls for services and public disorder analysis and trends, and other social, demographic and economic factors that may impact on the community;
- c. the type of performance objectives, indicators and results being used/achieved in other similar/comparable jurisdictions;
- d. the availability of measurements of assessing the success in achieving the performance objectives; and
- e. community expectations, derived from the consultation process, community satisfaction surveys and victimization surveys.

### 8.3 *INFORMATION TECHNOLOGY*

8.3.1 The Board, in consultation with the Chief, will include in the business plan an information technology plan that:

- a. is based on an evaluation of the Service's information technology needs, including its capacity to electronically share information with other agencies, organizations and community groups;
- b. requires periodic review of key business processes, practices and related technology to identify possible changes that may reduce the administrative workload of front-line officers; and
- c. addresses information technology acquisition, updating, replacement and training.

8.4 *POLICE FACILITIES*

8.4.1 The Board, in consultation with the Chief, will include in the business plan, a police facilities plan that, at minimum, ensures that the Service maintains one or more police facilities that are accessible to the public during normal working hours, and that during all other hours, the public has telecommunications access to a communications centre.

8.4.2 The Chief will implement a resource planning methodology that is either automated or manual and which takes into account the business plan and existing demands for service.

8.5 *COMMUNICATION OF BUSINESS PLAN*

8.5.1 The Board, in consultation with the Chief, will establish a process, with Municipal Council, for the communication of the business plan to:

- a. Members; and
- b. Members of the public.

The Board's approved Business Plan will be provided to Members of Regional Council in accordance with the *Protocol For The Sharing of Information Between The Regional Municipality of Niagara Police Services Board and The Regional Municipality of Niagara* as referred to in subsection 7.1 (a copy of which is attached hereto as Appendix B).

8.5.2 The Chief of Police will ensure the Business Plan is communicated to all members of the Niagara Regional Police, and that it is available to the general public on the Niagara Regional Police web site.

8.6 *COST PROJECTIONS*

8.6.1 The Chief shall ensure that the business plan includes the operating and capital budgets and estimated cost projections for implementing the business plan for each year that the plan covers.

**9 *REPORT TO THE BOARD***

9.1 The Chief shall provide the Board with an annual report on or before March 31 of each year. The report shall contain:

- a. whether police facilities:
  - i. meet or exceed provincial building and fire codes;
  - ii. have sufficient space for the efficient organization of offices and equipment;
  - iii. are adequately heated, ventilated, illuminated and, where appropriate and practical, air conditioned, when in use;
  - iv. have lockers, separate change areas, if Members are required to change at the workplace, and washroom facilities, and where appropriate and practical, shower facilities; and
  - v. have appropriate security measures and communications;

- b. whether or not Members have available:
  - i. appropriate and secure working, records and equipment storage space; and
  - ii. separate or private areas for interviewing purposes;
- c. whether the Service's lock-up facilities meet the following requirements:
  - i. the minimum cell size is 7' x 4.6" x 7' high;
  - ii. Fire extinguishers are secure and readily available in the lock-up area, but out of reach of the person in custody;
  - iii. smoke and heat detectors are installed in the lock-up area;
  - iv. toilet facilities are provided in each lock-up;
  - v. no unsafe conditions exist, including means of attaching ligatures;
  - vi. first aid equipment, including airway devices for mouth-to-mouth resuscitation, are readily available;
  - vii. lock-ups are separate from public view;
  - viii. confidential interviews with legal counsel can be accommodated;
  - ix. a proper area for prisoner processing is provided;
  - x. cell keys are in a secure location and master or duplicate keys are readily available;
  - xi. the area where prisoners are processed and/or searched is well illuminated, secure and has no hazardous conditions present;
  - xii. compliant with the Service's policy and procedures with respect to communicable diseases; and
  - xiii. a means of constantly communicating with the main desk area and/or the communications centre is available;
- d. a comparison of cost projections for the business plan to actual cost for the year;
- e. a report on any other matter contained in the business plan that has changed;

9.2 At least once every business cycle, the Chief shall undertake and report back on workload assessments and service delivery evaluations for the following areas:

- a. crime prevention;
- b. law enforcement, including separate assessments and evaluations for the Service's community patrol, communications and dispatch, crime analysis, criminal intelligence, criminal investigation and investigative supports functions;
- c. providing assistance to victims;
- d. public order maintenance; and
- e. emergency response services for the six functions identified in sections 21(1) and 22 of O.Reg.3/99.

## **10 IMPLEMENTATION**

10.1 By-law 249-2000, as amended, and all other By-laws, sections of By-laws and business planning policies of the Board inconsistent with the provisions of this By-law are hereby repealed.

10.2 This By-law shall come into force on the date of its enactment.

10.3 The Chief shall implement this By-law, where applicable, through general order.

ENACTED AND PASSED this 17<sup>th</sup> day of December, 2009.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chair



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Executive Director



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**APPENDIX "A"****Legislative/Regulatory Requirements**

Section 30(1) of the Adequacy Standards Regulation requires a police service board to prepare, at least once every three years, a business plan that addresses:

- the objectives, core business and functions of the police service, including how it will provide adequate and effective police services;
- quantitative and qualitative performance objectives and indicators relating to:
  - the police service's provision of community-based crime prevention initiatives, community patrol and criminal investigation services;
  - community satisfaction with police services;
  - emergency calls for service;
  - violent crime and clearance rates for violent crime;
  - property crime and clearance rates for property crime;
  - youth crime and clearance rates for youth crime;
  - police assistance to victims of crime and re-victimization rates; and
  - road safety;
- information technology;
- police facilities; and
- resource planning.

In addition, section 32(1) requires a board to enter into a protocol with municipal council that sets out the dates by which the business plan should be provided to municipal council, the responsibility for making it public, and if municipal council chooses, jointly determining and participating in the consultation processes for the development of the business plan.

Furthermore, section 32(2) requires a board to consult with its municipal council, school boards, community organizations and groups, businesses and members of the public during the development of the business plan.

**Sample Board Policy**

Board Policy # \_\_\_\_\_

It is the policy of the \_\_\_\_\_ Police Services Board with respect to business planning that:

- Consultation**
1. This Board, in partnership with the Chief of Police, will prepare a strategy for the development of the business plan, consistent with the requirements of the Adequacy

Standards Regulation (including the protocol with municipal council), that will include consultation on:

- a) an environmental scan of the community that highlights crime, calls for service and public disorder trends within the community;
- b) the results achieved by the police service in relation to the business plan currently in effect;
- c) a summary of the workload assessments and service delivery evaluations undertaken during the existing business plan cycle;
- d) the board's proposals with respect to the police service's objectives, core business and functions, and performance objectives and indicators for the eight functions set out in the Adequacy Standards Regulation; and
- e) the estimated cost of delivering adequate and effective police services to meet the needs identified in the draft business plan.

**Performance Objectives**

2. This Board, in partnership with the Chief of Police, will consider when developing the performance objectives, factors such as:
  - a) the police service's existing and/or previous performance, and estimated costs;
  - b) crime, calls for service and public disorder analysis and trends, and other social, demographic and economic factors that may impact on the community;
  - c) the type of performance objectives, indicators and results being used/achieved in other similar/comparable jurisdictions;
  - d) the availability of measurements for assessing the success in achieving the performance objectives; and
  - e) community expectations, derived from the consultation process, community satisfaction surveys, and victimization surveys.
3. The business plan will include the estimated cost projections for implementing the business plan for each year that the plan covers.

**Information Technology**

4. This Board, in partnership with the Chief of Police, will include in the business plan an information technology plan that:
  - a) is based on an evaluation of the police service's information technology needs, including its capacity to electronically share information with other agencies, organizations and community groups;
  - b) requires the periodic review of key business processes, practices and related technology to identify possible changes that may reduce the administrative workload of front-line officers; and
  - c) addresses information technology acquisition, updating, replacement and training.

**Police Facilities**

5. This Board, in partnership with the Chief of Police, will include in the business plan a police facilities plan that, at minimum, ensures that the police service maintains one or more police facilities that are accessible to the public during normal working hours,



- and that during all other hours public telecommunications access to a communications centre.
6. The Chief of Police should review and report back to the board, at least once every business cycle, on whether:
- a) all police facilities:
    - i) meet or exceed provincial building and fire codes;
    - ii) have sufficient space for the efficient organization of offices and equipment;
    - iii) be adequately heated, ventilated, illuminated and, where appropriate and practical, air conditioned, when in use;
    - iv) have lockers, separate change area, if members are required to change at the workplace, and washroom facilities, and where appropriate and practical, shower facilities; and
    - v) have appropriate security measures and communications;
  - b) members of the police service have available:
    - i) appropriate and secure working, records and equipment storage space; and
    - ii) separate or private areas for interviewing purposes; and
  - c) the police service's lock-up facilities meet the following requirements:
    - i) the minimum cell size is 7' x 4'6" x 7' high;
    - ii) fire extinguishers are secure and readily available in the lock-up area, but out of reach of the person in custody;
    - iii) smoke and heat detectors are installed in the lock-up area;
    - iv) toilet facilities are provided in each lock-up;
    - v) no unsafe conditions exist, including means of attaching ligatures;
    - vi) first aid equipment, including airway devices for mouth to mouth resuscitation, are readily available;
    - vii) lock-ups are separate from public view;
    - viii) confidential interviews with legal counsel can be accommodated;
    - ix) a proper area for prisoner processing is provided;
    - x) cell keys are in a secure location and master or duplicate keys are readily available;
    - xi) the area where prisoners are processed and/or searched is well illuminated, secure and has no hazardous conditions present;
    - xii) compliant with the police service's policy and procedures with respect to communicable diseases; and
    - xiii) a means of constantly communicating with the main desk area and/or the communications centre is available.
7. Where it is determined that the police facilities do not meet the requirements in 4(a), (b) and (c), the Chief of Police should prepare a plan for the Board that sets out options and costs in order to meet the requirements.



**Resource  
Planning**

8. The Chief of Police will:
- a) implement a resource planning methodology that is either automated or manual, and which takes into account the business plan and existing demands for service; and
  - b) at least once every business cycle, undertake and report back on workload assessments and service delivery evaluations for the following areas:
    - i) crime prevention;
    - ii) law enforcement, including separate assessments and evaluations for the service's community patrol, communications and dispatch, crime analysis, criminal intelligence, criminal investigation and investigative supports functions;
    - iii) providing assistance to victims;
    - iv) public order maintenance; and
    - v) emergency response services for the six functions identified in sections 21(1) and 22 of the Adequacy Standards Regulation.

- Communication** 9. This Board, in partnership with the Chief of Police, will establish a process, with municipal council if required, for the communication of the business plan to:
- a) members of the police service; and
  - b) members of the public.

**Police Service Guidelines**

- Procedures** 1. Every police service's procedures should address:
- a) information technology and security, including electronic file management, security systems, software usage and auditing; and
  - b) police facilities management, including:
    - i) identifying an individual(s) who is responsible for the overall management of the police service's facilities;
    - ii) requiring the maintenance of an updated inventory of police facilities; and
    - iii) the appropriate use of police facilities, including facility security and maintenance.



**PROTOCOL FOR THE SHARING OF INFORMATION  
BETWEEN THE  
REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD  
AND THE  
REGIONAL MUNICIPALITY OF NIAGARA**

**WHEREAS** the Regional Municipality of Niagara Police Services Board is pursuant to section 31(1) of the *Police Services Act* as amended (Bill 105), is responsible for the provision of adequate and effective police services in the Regional Municipality of Niagara;

**AND WHEREAS** the Regional Municipality of Niagara Police Services Board is required by section 32(1) of Ontario Regulation 3/99, the Adequacy Standards, to enter into a protocol with its Regional Council that addresses:

- 1) the sharing of information with municipal council, including the type of information to be shared and the frequency of sharing such information;
- 2) the dates by which the business plan and annual report shall be provided to municipal council;
- 3) the responsibility for making public the business plan and annual report, and the dates by which the business plan and report must be made public; and
- 4) if municipal council chooses, jointly determining, and participating in, the consultation process for the development of the business plan.

**THEREFORE BE IT RESOLVED** that the Regional Municipality of Niagara Police Services Board shall provide the Regional Clerk for the Regional Municipality of Niagara with:

- 1) notice of dates, times and locations of the Police Services Board meetings; and
- 2) copies of the public agenda and the minutes relating to those said meetings.

**AND FURTHER BE IT RESOLVED** that no less than annually, the Board and the Chief of Police will host an information session on current policing issues in the Regional Municipality of Niagara;

**AND FURTHER BE IT RESOLVED** that the Regional Municipality of Niagara Police Services Board will;

- 1) on or before December 31, 2000 and every three years thereafter provide the Regional Clerk with a copy of the Police Services' business plan;
- 2) make a business plan available to the public no more than 30 days following it being released to the Regional Clerk;
- 3) provide copies of the Service's annual report to the Regional Clerk and make it available to the public on or before May 31, annually; and
- 4) provide the Regional Clerk with notice of any public meetings, or other consultation processes scheduled by the Board for the development of the business plan.

**AND FURTHER BE IT RESOLVED** that this protocol is subject to the provisions of Section 41(1.1) of the *Police Services Act* and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*.

Dated at Hamilton this 16<sup>th</sup> day of December, 2004.

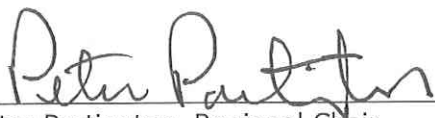


Larry A. Iggulden, Chair  
Niagara Police Services Board



Deb Morton, Executive Director  
Niagara Police Services Board

Dated at Thorold this 25<sup>th</sup> day of April, 2005, 2004.



Peter Partington, Regional Chair  
Regional Municipality of Niagara



Pam Gilroy, Regional Clerk/Associate Director of Corporate Strategy  
Regional Municipality of Niagara