



WINDSOR POLICE SERVICE BOARD

POLICY

Police Name: Human Resources Policy		Policy Number: HR-001
Responsible Manager: Administrative Director WPSB	Review Schedule: 3 years	Effective Date: September 1, 2024
Repeals: Policy HR-01 May 19, 2022	Reporting:	Next Review Date: September 2027

1. PREAMBLE:

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS the Board is committed to establishing policies that respect effective human resource planning.

THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:

2. DEFINITIONS:

2.1 "Act" or "CSPA" means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments thereto.

2.2 "Board" means the Windsor Police Service Board.

2.3 "Chief of Police" or "Chief" means the Chief of the Windsor Police Service.

2.4 "Service" means the Windsor Police Service.

3. **POLICY:**

With respect to human resource governance, the Board shall establish the following internal processes;

3.1 Annually elect a Human Resources Committee in accordance with the Board Procedural By-Law;

3.2 Annually review and recommend compensation for the Chief of Police and Deputy Chiefs;

3.2 Annually review the performance of the Board's Administrative Director;

3.3 Annually review the performance evaluation process for the Chief of Police and Board Administrative Director, and recommend changes if necessary;

3.4 Review and approve all strength increases and strength decreases of the Windsor Police Service;

3.5 Acknowledge all retirements of the Windsor Police Service during public session Board meetings;

3.6 Communicate on a regular basis with representatives of other large Police Service Boards in the Province to stay abreast of trends and strategies in collective bargaining;

3.7 Create internal directives as needed related to the oversight and governance of the Windsor Police Service in the area of Human Resources.

4. **DIRECTION TO THE CHIEF:**

4.1 The Chief of Police shall ensure that human resource reporting is timely and accurate. In addition, the Chief of Police shall ensure compliance with all human resource related legislation and reporting requirements.

5. **IMPLEMENTATION:**

5.1 Policy HR-01 and any other policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

5.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29th day of August 2024

WINDSOR POLICE SERVICE BOARD


Drew Dilkens, Chair


Norma Coleman, Administrative Director

Date: Sept 3/24

Date: Sept. 3, 2024



WINDSOR POLICE SERVICE BOARD POLICY

Policy Name: Process of Selecting Chief and Deputy Chiefs		Policy Number: HR-002
Responsible Manager: Administrative Director	Review Schedule: 3 Years	Effective Date: September 1, 2024
Repeals: HR – 02, July 22, 2021	Reporting:	Next Review Date: September 2027

1. PREAMBLE:

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS O. Reg. 392/23: Adequacy and Effective Policing (General) (“the Adequacy Regulation”) prescribes standards for adequacy and effectiveness of police services;

1.4 AND AS subsection 37 (1)(d) provides that a police service board shall recruit and appoint the chief of police and any deputy chief of police and determine their remuneration and working conditions, taking their submissions into account;

1.4 AND AS the Board deems it expedient to enact this Policy to ensure that the process of selecting the chief of police and any deputy chief of police is fair, transparent, equitable and consistent;

THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:

2. DEFINITIONS:

2.1 "Act" or "CSPA" means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 "Board" means the Windsor Police Service Board;

2.3 "Chief" means the Chief of Police of the Windsor Police Service;

2.4 "Deputy" means the Deputy Chief of the Windsor Police Service;

2.74 "Service" means the Windsor Police Service.

3. POLICY:

3.1 The Board is committed to ensuring the effective management of the Windsor Police Service by its leadership.

3.2 The Board is committed to ensuring that the recruitment and appointment process for the Chief of Police and any Deputy Chief of Police is fair and transparent.

3.3 The Board is committed to ensuring that there is a good working relationship between the Board and the Chief of Police and any Deputy Chief of Police.

3.4 The Board expects the Chief of Police and any Deputy Chief to serve as role models for Service Members, demonstrating the values and principles of the Service.

3.5 The Board will place emphasis on Chief or Deputy's ability to represent the Service's values, to communicate effectively with Service Members, Board Members and the public, as well as on their professional excellence.

3.6 The Board is committed to recruiting and selecting individuals for the Chief of Police and Deputy Chief of Police positions who are the most qualified based on an assessment of their demonstrated skill, competence, experience, training, education and ability to meet the job requirements.

3.6.1 Other important criteria in the selection process includes: candidates who share the philosophy, vision, mission and mandate of the Service. Candidates for these positions may be from current Windsor Police Service members or from an outside Service.

3.7 The Board provides equitable treatment and accommodation to ensure barrier-free employment in accordance with the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act. Any candidate may request accommodation related to the protected grounds at any stage of the hiring process – application, assessment, and placement.

4. PROCEDURE:

4.1 RECRUITMENT

4.1.1 The Board shall determine the method of recruitment - full recruitment, internal recruitment or by appointment - by which a vacancy of Chief of Police or Deputy is to be filled.

4.1.2 The Board will ensure that the recruitment process is consistent with the Board's Equity, Diversity and Inclusion Plan, to ensure that the selection of candidates is free from bias or prejudice on the grounds of race, sex, place of origin, sexual orientation, age, disability and socio-economic status, and to ensure that the candidates selected will uphold the values expressed in the plan.

4.2 The Board may choose, at its discretion, to undertake a recruitment based on the priorities and needs of the Service as determined by the Board in one of the following ways:

4.2.1 A full recruitment and selection process which is both internal and external in nature.

4.2.2 Limit the advertisement of the position to candidates within the Windsor Police Service only.

4.2.3 Outright appointment of a candidate to the position.

4.3 If the Board decides to undertake an appointment process, the Board should ensure persons to be appointed:

4.3.1 Meet each essential qualification of the position as determined by relevant legislation, past and current position requirements and all relevant policy.

4.3.2 Meet any operational requirements and/or current organizational needs.

4.4 Should the Board decide to undertake a full competitive recruitment and selection process, the following procedures will be followed:

4.4.1 The Board will establish the requirements for the positions of Chief of Police and Deputy Chief of Police by which the position posting shall be created and candidates will be assessed. These will include:

a) A list of essential qualifications and experience necessary for consideration for the role of Chief of Police or Deputy Chief of Police.

b) A list of competencies that shall be used to screen candidates, develop interview questions and assess candidates.

4.4.2 Recruitment for the position of Chief of Police or Deputy Chief of Police will be posted internally within the Windsor Police Service and externally on various online job boards and appropriate publications.

4.4.3 All candidates, whether internal or external, will be treated in the same manner and proceed through the same objective process.

4.4.4 The Board will determine the composition of the Selection Committee. The Board may also engage an external recruitment service to support any step in the recruitment and selection process.

4.4.5 The role of the Selection Committee will be to develop the job posting based on the skills, experience and competencies established by the Board. They will screen candidates, develop interview questions, interview and assess candidates, and conduct reference checks of identified candidates.

4.4.6 All individuals of the Selection Committee will be instructed on the importance of recognizing biases, the purpose and components of the objective recruitment process, and the structured screening and interview process.

4.4.7 The Board may engage a third-party to consult the public with respect to the qualities and characteristics of a new Chief of Police or Deputy Chief of Police to assist in the development of the job posting and subsequent interview questions.

4.5 APPLICANT SCREENING

4.5.1 Applicants will be screened based on the selection criteria outlined in the job posting. Those that meet the criteria will be invited to continue in the recruitment process including in-person interviews.

4.5.2 Individuals selected for interviews will be required to submit a completed Attestation Form which will ensure a full review of the work history and identify any areas for further review.

4.6 INTERVIEW PROCESS

4.6.1 Structured interviews will be conducted by the Selection Committee using predetermined interview questions for all candidates. The goal of this objective assessment is to confirm experience and education, other complementary skills, and overall values that align with the Windsor Police Service based on the competencies and qualifications contained in the position posting.

4.6.2 There will be a mixture of behavioural and situational interview questions that will be designed to determine the candidate's suitability to assume a leadership role within the Service. The same questions will be used for each candidate interviewing for the same position.

4.6.3 The candidate's Attestation Form will be reviewed with them as part of the interview process. Any areas of concern will be identified and may generate additional questions. These questions will be compliant with the Human Rights Code and other relevant legislation.

4.6.4 If required, a second interview may be scheduled with short-listed candidates. This interview may be informed with behavioural assessments previously conducted with short-listed candidates.

4.7 REFERENCE CHECKS

4.7.1 Confidential reference checking will be conducted and may include a candidate's current commanding officer, former commanding officer, colleagues or subordinates. The identification of references will be done in a manner that does not adversely impact the candidate's current employment. A candidate may also be requested to provide recent performance evaluations, commendations, or records of discipline as part of the overall assessment of their suitability for the position.

4.8 SELECTION

4.8.1 Upon completion of the recruitment, interview and reference check process, the Selection Committee will make a recommendation to the Board. The final decision rests with the Board. An offer of employment will be drafted by the City of Windsor Legal and Human Resources Departments and will be presented to the candidate(s).

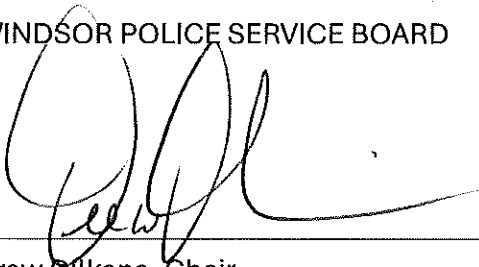
5. IMPLEMENTATION

5.1 Policy HR-02, July 22, 2021 and any other policies, sections of policies of the Board inconsistent with this Policy are repealed effective August 29, 2024.

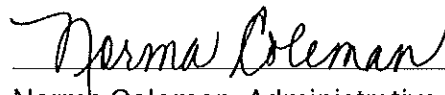
6.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED THIS 29th day of August 2024

WINDSOR POLICE SERVICE BOARD



Drew Dilkens, Chair



Norma Coleman, Administrative Director

Sept 3/24

Date:

Sept. 3, 2024

Date:



WINDSOR POLICE SERVICE BOARD POLICY

Policy Name: Chief of Police Performance Evaluation System		Policy Number: HR-003
Responsible Manager: Administrative Director	Review Schedule: Every 3 Years	Effective Date: September 1, 2024
Repeals: HR – 03	Reporting:	Next Review Date: September 2027

1. PREAMBLE :

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 37 (1) (d) of the CSPA provides that a Police Service Board shall recruit and appoint the Chief of Police and Deputy Chief of Police, and determine their remuneration and working conditions taking their submissions into account;

1.3 AND AS subsection 37 (1) (f) and (g) of the CSPA provides that a Police Service Board shall monitor the Chief of Police's performance and conduct a review of the Chief of Police's performance at least annually in accordance with the regulations made by the Minister, if any;

1.4 AND AS the Board deems it expedient to pass a policy to establish process for the Chief of Police Performance Evaluation System to provide a framework for discussing and monitoring the Chief's performance against expected job outputs and the achievement of results;

1.5 AND AS the Board expects the Chief of Police to achieve significant results each year, and in so doing, to improve the quality of policing to the citizens served by the Windsor Police Service;

THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:

2. DEFINITIONS:

2.1 "Act" or "CSPA" means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 "Board" means the Windsor Police Service Board;

2.3 "Chief" means the Chief of Police of the Windsor Police Service;

2.4 "Service" means the Windsor Police Service.

3. POLICY:

3.1 The Board recognizes that reviewing the performance of its Chief of Police is an important governance responsibility legislated by the Act, and that it is integral to the Board's strategic planning process and good governance of the Police Service.

3.2 The Board is committed to establishing and participating in a Performance Evaluation System for its Chief of Police that promotes individual excellence and increases mutual understanding and communication between the Board and the Chief of Police.

3.3 Ideally, the formal assessment will ensure open communication is maintained and the wellbeing of the Police Service is fostered through mutual trust and planning. Furthermore, the Board expects the Chief to achieve significant results each year, and in doing so, to improve the quality of policing services to the citizens of the City of Windsor.

3.4 Additionally, less formal but progressive periodic discussions should be maintained with the Chief throughout the annual review period to keep abreast of his/her performance and provide an opportunity for mutual input.

3.5 The goals of the Performance Evaluation System are to provide the Board with a formal opportunity to assess the results achieved by the Chief of Police in implementing the Board's Strategic Plan and specific objectives set at the beginning of each annual review period.

4. GENERAL PRINCIPLES:

4.1 A Performance Evaluation System is an annual requirement intended to support and reinforce the achievement of the strategic priorities, goals and objectives outlined in the Board's Strategic Plan and general expectations that the Board has of its Chief of Police.

4.2 The Performance Evaluation System consists of four components:

- (a) The Position Description for the Chief of Police;
- (b) A Performance Plan that sets out the objectives and expected accomplishments for the year under review;
- (c) A Performance Evaluation Rationale and Instructions document; and
- (d) A Performance Evaluation Questionnaire.

5. PERFORMANCE MANAGEMENT PROCESS: (Appendix "A")

5.1 Setting Annual Objectives

5.1.1 Annually in December, the Chief of Police sets objectives for the upcoming year. Objectives are required to align with the Windsor Police Service's Strategic Plan, principles, and goals.

5.1.2 Each objective includes a concise description, milestone deliverables throughout the year, a measure of success for each milestone, and a timeframe for each milestone to be completed.

5.1.3 Objectives are input directly in the performance tool.

5.2 Approval of Objectives (January)

5.2.1 Board reviews, discusses, and finalizes the Chief of Police's annual objectives.

5.2.2 Board Chair and the Chief of Police sign-off on the objectives.

5.3 Self-Assessment (February)

5.3.1 Chief of Police completes self-assessment on the previous year's objectives.

5.3.2 An assessment is completed for each objective and is completed utilizing the performance tool.

5.3.3 For each objective/assessment the Chief includes the following information:

- a) A proposed rating.
- b) Rationale for the rating.
- c) Additional evidentiary documents, reports, or analysis to support the self-assessment.

5.3.4 In preparation for the Chief's annual performance review, the Board refreshes itself on the tools and processes involved to assist in executing the evaluation:

- a) Competency dictionary.
- b) Competency indicators.
- c) Annual performance evaluation guidelines.
- d) Setting and evaluating S.M.A.R.T. objectives guidelines.
- e) Performance management program process PowerPoint.

5.4 Annual Performance Review (February)

5.4.1 The Board reviews the Chief of Police's self-assessment and supporting evidentiary material for each individual objective.

5.4.2 The Board either accepts the Chief of Police's self-assessed rating or applies a different rating with rationale.

5.4.3 The final rating for each objective that is input into the tool under the Chief of Police or Board Year-End Assessment, feeds directly into the rating and sign-off sheet within the tool.

5.4.4 The rating and sign-off calculates the final total rating.

5.5 Individual Development Plan (March)

5.5.1 Following the Chief's Performance Review, the next optional step can be to develop an Individual Development Plan (IDP) if requested by the Board.

5.5.2 The IDP is structured to highlight areas of strength and improvement for the Chief of Police relative to the competencies.

5.5.3 The Chief of Police sets competency development objectives.

5.5.4 The tool provides a mid-term and full-term review.

5.5.5 Depending when (and/if) the IDP is completed and after the Chief of Police has had their performance evaluation with the Board, the mid and full-term review points could vary throughout the year.

5.5.6 The IDP is not meant to be an annual tool but a progressive tool for both parties to continually review and assess the Chief of Police's progression.

5.6 Mid-Year Performance Review (June-July)

5.6.1 The mid-year review is intended to highlight any areas in which the Chief of Police is not meeting or experiencing challenges meeting his/her objectives.

5.6.2 The form requests that the Chief of Police lists:

- (a) The challenges and barriers they faced;
- (b) Mitigation efforts to remove the risk of completion;
- (c) Expected time to be back on track;
- (d) Any resource requirements needed to support the successful completion of the objective.

5.6.3 The Chief of Police initiates the review and sets up a time to discuss with the Board following which both parties sign-off on the review.

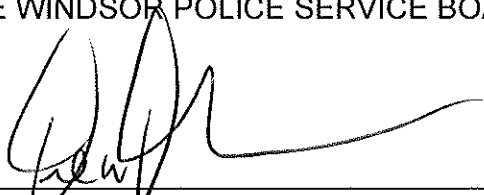
6. IMPLEMENTATION:

6.1 Policy HR-03, and all other policies, sections of policies inconsistent with this policy are repealed effective August 29, 2024.

6.2 This Policy shall come into force on September 1, 2024.

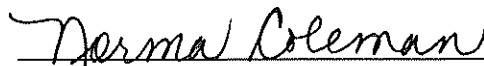
ADOPTED AND PASSED this 29th day of August 2024.

THE WINDSOR POLICE SERVICE BOARD



Drew Dikens, Chair

Date: Spt 3/24



Norma Coleman, Administrative Director

Date: Sept. 3, 2024

Attachment (1)



WINDSOR POLICE SERVICE BOARD

POLICY

Police Name: RESPECTING RIGHT TO DISCONNECT FROM WORK		Policy Number: HR-004
Responsible Manager: Administrative Director WPSB	Review Schedule: 3 years	Effective Date: September 1, 2024
Repeals: Policy HR-04 May 19, 2022	Reporting: Chief annual report to the Board as per Section (6)	Next Review Date: September 2027

1. PREAMBLE:

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS an amendment was made to the Employment Standards Act, 2000 (the ESA), specifically Bill 27, the Working for Workers Act, 2021 which introduced a new requirement for employers in Ontario to have a written policy on disconnecting from work for all employees covered by the ESA;

1.4 AND AS subsection 3 (5) 10 of the ESA provides that the ESA does not apply to Police Officers;

1.5 AND AS it is the responsibility of the Chief of Police of the Windsor Police Service to administer the policing services of the City of Windsor in accordance with the policies, priorities and objectives established by the Windsor Police Service Board;

1.6 AND AS it is the responsibility of the Chief of Police to develop the necessary procedures to ensure compliance with Board policies and effective operations of the police service.

THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:

2. DEFINITIONS:

For the purpose of this By-law, the following definitions apply:

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments thereto.

2.2 “Board” means the Windsor Police Service Board.

2.3 “Chief of Police” or “Chief” means the Chief of the Windsor Police Service.

2.4 “Service” means the Windsor Police Service.

2.5 “Scheduled Hours of Work” means the schedule or start and end time for a unit/division as set out by senior management, based on operational requirements and in accordance with a Member’s terms and conditions of employment, applicable collective agreements and/or their minimum statutory entitlements under the ESA.

2.6 “Disconnecting from Work” means not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work.

3. POLICY:

3.1 The Board values the health and well-being of its employees. Disconnecting from work as appropriate is vital to a person’s well-being and helps employees achieve health and sustainable work-life integration. Disconnecting from work as appropriate also enables employees to work more productively during their assigned working hours and reduces the likelihood of employee exhaustion.

3.2 This Policy is required to be compliant with an amendment to the Employment Standards Act, 2000 (the ESA), specifically Bill 27, the Working for Workers Act, 2021, which introduced a new requirement for employers in Ontario to have a written policy on disconnecting from work for all employees covered by the ESA.

3.3 In recognition of the distinct statutory and common law duties of Police Officers employed by the Board, this Policy applies only to Civilian Members to whom Part VII.0.1 of the Employment Standards Act, 2000 (the ESA) applies.

3.4 It is the policy of the Board to support the Civilian Members of the Windsor Police Service and Board Staff (collectively, “Member” or “Members”) in disconnecting from work outside of their normal working hours where appropriate.

3.5 The purpose of this policy is to set out the parameters of disconnecting from work for Civilian Members and Board Staff in accordance with the ESA, the collective agreements in force between the Board and the Windsor Police Association and the Windsor Police Senior Officers’ Association, and any other terms and conditions of employment with the Board.

4. GUIDING PRINCIPLES:

4.1 The Board commits to promote and support efforts to maintain the health and well-being of Members through the provision of relevant programs, information and/or training with respect to Disconnecting from Work when appropriate.

4.2 A Member's ability to disconnect from work depends on the Board's or Service's operational needs, and the Board's legal responsibility for the provision of adequate and effective policing, as well as the duties and obligations of a Member's position, subject to the terms and conditions of the Member's employment with the Board, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

4.3 This Policy does not preclude any Member from contacting another Member outside of what may be considered normal working hours or standard business hours, subject to any rights or entitlement the receiving Member may have under the terms and conditions of their employment, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

4.4 The Board recognizes that there are situations when it is necessary for Members to perform work or communicate with another Member outside their Scheduled Hours of Work, including but not limited to, the following circumstances:

- a) Where emergency or exigent circumstances arise, with or without notice
- b) To assist or fill in at short notice for a Member;
- c) Where the nature of a Member's duties require work and/or work-related communications outside of their Scheduled Hours of Work;
- d) Unforeseeable business or operational reasons;
- e) A Member's request or agreement to work certain hours or have flexible working hours;
- and
- f) Other unusual circumstances which are inherent to a Member's position.

4.5 This Policy does not afford Members a "right to disconnect" or a "greater right or benefit" beyond what is contained within the terms and conditions of their employment, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

4.6 The Board, Service and Service Members will work together to assist Members in disconnecting from work outside of their Scheduled Hours of Work as appropriate and in accordance with this Policy.

4.7 HANDHELD AND WORK DEVICES:

The Service may provide some Members with handheld devices, such as mobile phone, laptop, tablet, or other device as determined by Service procedures. Possession of these devices does not mean that a Member is expected to make themselves consistently available for work or work-related communications outside normal working hours, subject to the Service's operational needs and the duties of a Member's position and subject to any rights or entitlements the Member may have under their terms and conditions of employment, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

4.8 EMAIL AND AUTOMATIC REPLIES

Members' Scheduled Hours of Work differ within the Service: As a result, some Members may attend to work-related communications outside of other Members' Scheduled Hours of Work. Where this is the case, the sender will consider the timing of their communications and understand that the recipient is generally not expected to respond until their return to work at the earliest, subject to the circumstances detailed above. Members should activate an automatic e-mail response whenever taking vacation or leave from work. The automatic response will be sent to all incoming email communications and should advise the sender that the recipient is absent from work, the start date and end date of the recipient's absence and provide alternate contact information.

5. DIRECTION TO THE CHIEF:

5.1 PROCEDURES

5.1.1 The Chief shall develop and maintain processes and written procedures to ensure that Management and Service Members are able to disconnect from the workplace at appropriate times and in accordance with this Policy and any further direction/recommendations by the Ministry of the Solicitor General through its All Chiefs Memorandums on this new requirement in the ESA for a 'right to disconnect' policy.

5.1.2 The said procedures shall ensure that Management takes all reasonable steps to assist Service Members under their management to disconnect from the workplace outside of their normal working hours as appropriate and in accordance with this Policy.

5.2 COMMUNICATION OF POLICY AND RELATED INFORMATION

5.2.1 The Chief shall ensure that:

- a) All new Members are provided with a copy of this Policy and Service procedures within 30 days of a Member's hire date;
- b) All existing Members are provided with a copy of this Policy and Service procedures, and any amended versions, within 30 days of approval or amendment; and
- c) All Members are provided with information regarding their Standard Hours of Work given the nature of their work, and any other information required to assist Members with complying with this Policy and Service procedures.

5.2.2 Promote efforts to maintain the health and well-being of Members through the provision of relevant programs, information and/or training with respect to Disconnecting from Work when appropriate, in line with the Guiding Principles of this Policy.

5.2.3 The Chief shall ensure that any programs, information and/or training related to Disconnecting from Work include:

- a) Clearly articulated Scheduled Hours of Work for all Members, including parameters and expectations for contact outside of their Scheduled Hours of Work;
- b) Clear and specific obligations for the Service, its Management, its Members to ensure that everyone will work together in order to Disconnect with Work where

possible and appropriate, in accordance with the Guiding Principles of this Policy;
and

c) Tools, supports and resources to assist Management and Members in Disconnecting from Work at appropriate times, including through the use of available technology (i.e. out of office messaging on Service-issued phones and computers).

5.3 EMPLOYER RECORD KEEPING REQUIREMENTS

5.3.1 The Chief shall ensure that a copy of every written policy or procedure on disconnecting from work that was required by the ESA is retained for three years after the policy is no longer in effect.

6. REPORT TO THE BOARD:

6.1 The Chief of Police shall provide the Board with a written report on an annual basis in respect of disconnecting from work. The report shall include:

- a) a summary of the written procedures concerning the right to disconnect from work; and
- b) confirmation of Service compliance with the said procedures.

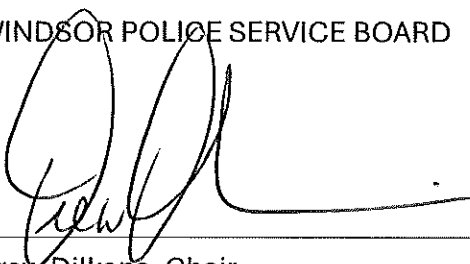
7. IMPLEMENTATION

7.1 Policy Number HR-04, and all other policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

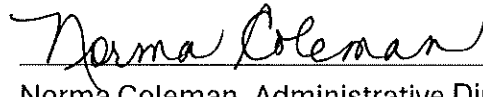
7.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29th day of August 2024

WINDSOR POLICE SERVICE BOARD



Drew Dilkens, Chair



Norma Coleman, Administrative Director

Date: Sept 3/24

Date: Sept. 3, 2024



WINDSOR POLICE SERVICE BOARD

POLICY

Policy Name: ELECTRONIC MONITORING OF EMPLOYEES		Policy Number: HR-005
Responsible Manager: Administrative Director WPSB	Review Schedule: 3 Years	Effective Date: September 1, 2024
Repeals: Directive Number: HR- 05	Reporting: Chief annual report to the Board as per Section 6	Next Review Date: September 2027

1. PREAMBLE

1.1 AS subsection 37(1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS Parts VII.01. and XI.1 of the Employment Standards Act, 2000 (the ESA), requires all employers in Ontario to have a written policy for all employees with respect to the electronic monitoring of all employees covered by the ESA;

1.4 AND AS in recognition of the distinct statutory and common law duties of Police Officers employed by the Board, this Policy applies only to Civilian Members to whom Parts VII.0.1 and XI.1 of the Employment Standards Act, 2000 (the ESA) apply;

1.5 AND AS Section 89 (3) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, provides that a Chief of Police shall administer the Police Service and oversee its operation in accordance with the Board's policies and strategic plan;

1.6 AND AS it is the responsibility of the Chief of Police to develop the necessary procedures to ensure compliance with Board policies and effective operations of the police service.

THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:

2. DEFINITIONS

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments.

2.2 “Board” means the Windsor Police Service Board.

2.3 “Chief of Police” or “Chief” means the Chief of the Windsor Police Service.

2.4 “Computer Monitoring” is the practice of collecting user activity data on employer-owned computers, tablets, connected officer devices, networks, and other IT infrastructure. This data includes, but is not limited to, web browsing history, files downloaded, data input, network traffic, log-ons to corporate systems, interactions with data, peripheral device usage (mouse, keyboard, monitor, etc.), and information about the employee’s computer.

2.5 “Electronic Access Controls (EACs)” is the technology used to provide and deny physical or virtual access to a physical or virtual space. This includes, but is not limited to, the microchip included within security proximity/ID access cards, which also keeps records of access times and locations.

2.6 “Electronic Monitoring” is a general term referring to all forms of employee monitoring that is done electronically on devices or other electronic equipment issued by the employer.

2.7 “Employer” refers to the Board and/or the Service, as applicable.

2.8 “Administrative Director” means the Administrative Director of the Windsor Police Service Board.

2.9 “Global Positioning System (GPS)” is a network of satellites and receiving devices used to determine the location of something on Earth. This technology can be enabled within equipment such as vehicles (Automated Vehicle Location System - AVLS), connected officer devices, and portable radios, to determine the location of equipment, both at present, and historically. AVLS also documents current and historical speed of vehicles in which it is enabled.

2.10 “Service” means the Windsor Police Service.

2.11 “Video/Audio Surveillance/Monitoring Equipment” is surveillance or otherwise monitoring by means of a camera or other recording device that monitors or records visual images and/or captures audio of activities recorded on employer-owned electronic devices. This includes, but is not limited to, on-site surveillance cameras, and in-car camera systems.

3. POLICY

3.1 It is the policy of the Board to support the Civilian Members of the Windsor Police Service and Board Staff (collectively, “Member” or “Members”) in modernizing employer requirements to provide transparency about the electronic monitoring of employees where appropriate.

3.2 The purpose of this policy is to describe how and in what circumstances the employer may electronically monitor employees, and to outline the purposes for which information obtained through electronic monitoring may be used.

4. GUIDING PRINCIPLES

4.1 EXPECTATION OF PRIVACY IN THE WORKPLACE

4.1.1 Monitoring employee usage of employer-owned workplace technology devices is an essential component of enforcing procedures, maintaining a respectful work environment, and ensuring that Information Technology (IT) assets that are owned and managed by the employer are used safely and appropriately. This includes an employee's personal device when operated on a remote desktop connection as a service platform. The employer monitors workplace technology devices to ensure IT resources are used in accordance with relevant Board policies, guidelines, and Service procedures/general orders. For that reason, employees must not expect privacy when using employer systems. While all personal information collected by the employer will be used appropriately in accordance with Board policies and Service procedures, all activities that take place via employer owned electronic assets should be considered monitored.

5 DIRECTION TO THE CHIEF

5.1 PROCEDURES

5.1.1 The Chief shall develop and maintain a Directive that contains processes and written procedures that meet the requirements of Parts VII.01.01 and XI.1 of the Employment Standards Act, 2000, which outlines whether the Service electronically monitors employees, and if so:

- a) Provides a description of how and in what circumstances the Service may electronically monitor employees.
- b) The purposes for which information obtained through electronic monitoring may be used by the Service.
- c) Such other information as may be prescribed.

5.1.2 All employees acknowledge that there is no expectation of privacy when using employer systems and devices, including but not limited to, employer-owned computers, tablets, networks, and other IT infrastructure.

5.1.3 The employer is authorized to electronically monitor employees using video/audio surveillance/monitoring equipment, computer monitoring, telephone monitoring, electronic access controls, and global positioning systems, for the purposes outlined in the Service's procedures/general orders.

5.2 COMMUNICATION OF POLICY AND RELATED INFORMATION

5.2.1 The Chief, in regard to Civilian Members of the Windsor Police Service, and the Administrative Director, in regard to employees of the Windsor Police Service Board, will ensure that:

- a) All new employees are provided with a copy of this Policy and Service procedures/general orders within 30 days of a Member's hire date;
- b) All existing Members are provided with a copy of this Policy and Service procedures/general orders, and any amended versions, within 30 days of approval or amendment; and

c) All temporary Members are provided with a copy of this Policy and Service procedures/general orders, and any amended version, within 24 hours from the start of their assignment.

5.3 EMPLOYER RECORD KEEPING REQUIREMENTS

5.3.1 The Chief shall ensure that a copy of every written policy or procedure on the electronic monitoring of employees that was required by the ESA is retained for three years after the policy is no longer in effect.

6. REPORT TO THE BOARD

6.1 The Chief of Police shall provide the Board with a written report on an annual basis in respect of the electronic monitoring of employees. The report shall include:

- a) A summary of the written procedures concerning the electronic monitoring of employees.
- b) Confirmation of Service compliance with the said procedures.


7. IMPLEMENTATION

7.1 Policy Directive HR – 05 and any other policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

7.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29th day of August 2024.

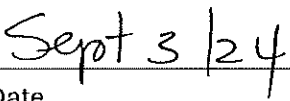
THE WINDSOR POLICE SERVICE BOARD



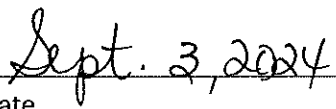
Drew Dikens, Chair



Norma Coleman, Administrative Director



Date



Date



WINDSOR POLICE SERVICE BOARD

POLICY

Policy Name: Equal Opportunity; Discrimination and Workplace Harassment Prevention		Policy Number: HR-006
Responsible Manager: Administrative Director WPSB	Review Schedule: Every 3 years	Effective Date: September 1, 2024
Repeals: HR-01, May 19, 2022	Reporting: Chief Report to Board as outlined in Section 5.2 Annual Reporting Requirements	Next Review Date: September 2027

1. PREAMBLE:

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS Part AI-003 of the Policing Standards Manual (2000) (Appendix "A"), contains guidelines directing the Board, the Chief and members relative to Equal Opportunity; Discrimination and Workplace Harassment Prevention;

1.4 AND AS sections 88, 201 (2) (c) and 202 (2) (c) of the CSPA, sets out obligations of Police Service Boards and Police Services relative to accommodation of needs of disabled members of Police Services in accordance with the Ontario Human Rights Code;

1.5 AND AS under subsection 24(2) of the Ontario Human Rights Code employers are required to provide accommodation, unless to provide accommodation would cause undue hardship to the employer, considering the costs, outside sources of funding, if any, and health and safety requirements, if any;

1.6 AND AS the Accessibility for Ontarians with Disabilities Act (AODA) sets out obligations to ensure the development, implementation, and enforcement of accessibility standards in

order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures, and premises on or before January 1, 2025.

THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:

2. DEFINITIONS:

2.1 "Act" or "CSPA" means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 "Code" means Ontario Human Rights Code;

2.3 "Board" means the Windsor Police Service Board;

2.4 "Chief" means the Chief of the Windsor Police Service;

2.5 "Member" means a member of the Windsor Police Service;

2.6 "Ministry" means the Ministry of the Solicitor General;

2.7 "Service" means the Windsor Police Service;

2.8 "Workplace" means any and all locations where business or social activities of the police service are conducted, including external training facilities such as the Ontario Police College and other locations where members may be assigned during periods of secondment; and

2.9 "Workplace Harassment" means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. Workplace harassment may be, but is not limited to, an action or behaviour related to prohibited grounds or discrimination under the Ontario Human Rights Code.

3. POLICY:

3.1 The objective of equal opportunity in the workplace, and discrimination and harassment prevention, is to ensure that the best qualified and motivated persons are selected for employment, promotion, preferred assignments, and career enhancement through lateral transfer.

3.2 This objective is to be achieved by ensuring that no discriminatory barriers exist in the workplace, that no discriminatory or harassing practices or behaviours exist in the workplace, and that the human rights of employees and potential employees are upheld and respecting in both rule and in practice.

3.3 The Board is committed to providing a work environment, which encourages mutual respect and preserves personal dignity. It affirms that all members have the right to work in an environment that is free from discrimination, including harassment.

3.4 The Board observes and upholds the Ontario Human Rights Code which states: "Every person has the right to equal treatment with respect to employment without discrimination

because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability (Section 5(1)). Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or disability (Section 5(2)). Every person who is an employee has a right to freedom from harassment in the workplace because of sex by his or her employer or agent of the employer or by another employee (Section 7(2)). Every person has a right to be free from a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcomed (Section 7(3)(a))" and will ensure reasonable measures are instituted and maintained so no member is subject to discrimination, including harassment.

3.5 The Board states that all Members, and any individuals representing the Police Service either on a paid or voluntary basis, are responsible for respecting the dignity and rights of their colleagues and co-workers, and for upholding the provisions guaranteeing those rights pursuant to the Code.

3.6 The Board states it will not tolerate or condone conduct which can be construed as unlawful discrimination, including harassment pursuant to the Code, and directs that an internal complaint procedure be established, as provided for by the Code, to ensure appropriate and expeditious resolution of a complaint where possible.

4. DIRECTIONS TO THE CHIEF:

4.1 PROCEDURES

4.1.1 The Chief shall develop procedures and processes relating to equal opportunity; discrimination and workplace harassment prevention that:

- i. ensure that successful applicants be chosen from a diverse applicant pool, reflective of the community served, and that all applicants have equal opportunity for employment with this police service;
- ii. provide all officers with the opportunity to improve their skills, knowledge and abilities through career development and training initiatives such as continuing education, performance appraisals, promotional process and transfers;
- iii. encourage personal and professional growth of its Members through the timely and constructive performance evaluation and the provision of directed continuous learning opportunities;
- iv. provide the fullest possible services in a prompt, fair and equitable manner to all segments of the public, without discrimination on the basis of race, ancestry, place of origin, colour or ethnic origin;

- v. extend fair and equal treatment under the law to every community and individual within its jurisdiction, without discrimination on the basis of race, ancestry, place of origin, colour or ethnic origin;
- vi. actively engage in the prevention of workplace discrimination and harassment through the development, delivery and maintenance of educational programs for all members of the police service;
- vii. recognize the emotional impact of such discrimination and harassment on individuals and react appropriately in investigating such complaints, including providing assistance through the Members' Assistance Program which offers confidential victim support and counselling to both members experiencing workplace discrimination and to members who may be the subject of a complaint;
- viii. undertake to educate its members on unlawful discrimination and harassment; and
- ix. maintain a discrimination-free workplace for all of its members to ensure that the police service is bias-free, and that it reflects the diversity of the community.

4.1.2 SPECIFIC OBJECTIVES

It is the policy of the Board that the Chief shall ensure that:

- i. all Members clearly understand that conduct, which can be construed as unlawful discrimination, including harassment pursuant to the Code is not tolerated and is considered grounds for disciplinary measures consistent with the CSPA ;
- ii. policies, police procedures and practices, in every area of operation and administration, such as recruitment, selection, hiring, career development and promotion, are free of discriminatory elements;
- iii. personnel at all levels, both uniformed and civilian:
 - (a) understand discrimination in all its forms (overt, covert, systemic) and have the skills to ensure that it is not manifest in their behaviour or any systems they manage;
 - (b) understand, are sensitive, and can work positively with colleagues and co-workers within the police service;
- iv. mechanisms for addressing discrimination and harassment complaints within the workplace are established, are known, and are accessible to police service personnel; and

v. all Police Service Members are informed about this policy and its implementation.

4.2 TRAINING

4.2.1 The Chief shall ensure that Members involved with employment practices of the police service have the requisite knowledge, skills, and abilities to perform this function.

4.2.2 The Chief shall ensure that all Members receive training on diversity and human rights.

4.2.3 The Chief shall ensure that as part of the training on diversity and human rights, the Police Service's policies, and procedures in relation to reporting and addressing workplace discrimination and harassment are reviewed by all Members.

5. REPORT TO THE BOARD:

5.1 REPORTING REQUIREMENTS - EXCEPTION BASED REPORTING

The Chief shall make a written report to the Board immediately following any employment practices in which:

- a. the procedures with respect to equal opportunity; discrimination and workplace harassment prevention were not followed; and
- b. in any other circumstance where, in the opinion of the Chief, there is a significant issue or potential liability to the Board or the Service

5.2 ANNUAL REPORTING REQUIREMENTS

The Chief shall provide the Board with an annual statistical report. The report shall contain:

- a. a summary of the written procedures relating to equal opportunity; discrimination and workplace harassment prevention;
- b. the status of Service compliance with the said procedures;
- c. confirmation that Members have been trained in accordance with section 4.2;
- d. the number and nature of harassment complaints received during the preceding 12 months and the disposition of such complaints;
- e. an annual statistical report on the Equal Opportunity Plan results;
- f. an analysis of the grievance activity relating to equal opportunity, discrimination, and workplace harassment, during the preceding calendar year which includes the status of grievances, resolutions (outcomes), and identifies any observable trends.

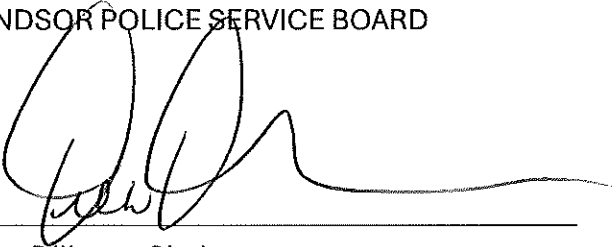
6. IMPLEMENTATION:

6.1 All other policies, sections of policies inconsistent with this policy are repealed effective August 29, 2024.

6.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED THIS 29th day of August 2024

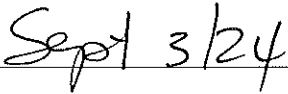
WINDSOR POLICE SERVICE BOARD



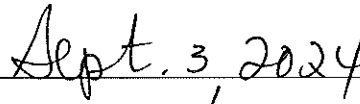
Drew Dilkens, Chair



Norma Coleman, Administrative Director



Date



Date

Attachment (1)

Legislative/Regulatory Requirements

Section 1, paragraphs 5 & 6 of the *Police Services Act (PSA)*, states that police services shall be provided throughout Ontario in accordance with certain principles, including “the need for sensitivity to the pluralistic, multiracial and multicultural character of Ontario society” and “the need to ensure that police forces are representative of the communities they serve.”

Subsection 47(1) of the *PSA* further states that “if an employee of a municipal police force becomes mentally or physically disabled and as a result is incapable of performing the essential duties of the position, the board shall accommodate his or her needs in accordance with the Ontario *Human Rights Code*.”

Under subsection 24(2) of the Ontario *Human Rights Code* employers are required to provide accommodation, unless to provide accommodation would cause undue hardship to the employer, considering the costs, outside sources of funding, if any, and health and safety requirements, if any.

Subsection 5(1) of the Ontario *Human Rights Code* states “Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability.”

Subsection 5(2) of the Ontario *Human Rights Code* states “Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or disability.”

Subsection 7(2) of the Ontario *Human Rights Code* states “Every person who is an employee has a right to freedom from harassment in the workplace because of sex by his or her employer or agent of the employer or by another employee.” Clause 7(3)(a) of the Ontario *Human Rights Code* states “Every person has a right to be free from a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcomed.”

Occupational Health and Safety Act (OHSA): Definitions and Legislation

Under section 1 of the *OHSA*, a workplace is defined as “any land, premises, location or thing at, upon, in or near which a worker works.”

Section 1 of the *OHSA* defines workplace harassment as “engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.”

Employers are expected to comply with the requirements of the *OHSA*. Some of the key employer obligations under the *OHSA* with respect to workplace harassment are to:

- Prepare and review a policy with respect to workplace harassment;
- Develop and maintain a program to implement the policy with respect to workplace harassment; and
- Provide appropriate information and instruction to workers on the contents of the workplace harassment policy and program.

Employers are required to meet obligations set out in the *OHSA* as related to workplace harassment. Employers are also required to meet other legislative obligations related to equal opportunity, including but not limited to, the *Accessibility for Ontarians with Disabilities Act, 2005* and the *Ontario Human Rights Code*.

Application

The employer obligations set out in the *OHSA* in relation to workplace harassment apply to police services. This includes harassment that police personnel could encounter during their work as a result of interactions with the public, between workers or from persons who have a personal relationship with workers.

Police personnel work in many diverse environments and under a variety of conditions. Employers are required under the *OHSA* to protect police personnel from workplace harassment in all police workplaces, including those beyond police facilities.

Sample Board Policy

Board Policy # _____

The objective of equal opportunity in the workplace, and discrimination and harassment prevention, is to ensure that the best qualified and motivated persons are selected for employment, promotion, preferred assignments and career enhancement through lateral transfer.

This objective is to be achieved by ensuring that no discriminatory barriers exist in the workplace, that no discriminatory or harassing practices or behaviours exist in the workplace, and that the human rights of employees and potential employees are upheld and respected both in rule and in practice.

Furthermore, where discriminatory or harassing acts or behaviours do manifest, they must be effectively investigated and appropriately addressed.

To this end, it is the policy of the _____ Police Services Board with respect to equal opportunity; discrimination and workplace harassment prevention, that the Chief of Police will:

- a) establish procedures on equal opportunity that are consistent with the principles of the *PSA* and the Ontario *Human Rights Code*, including recruitment, selection, career development and promotion;
- b) prepare procedures with respect to workplace harassment and develop and maintain a program to implement the policy, in accordance with the *OHSAA*;
- c) establish procedures on responding to and preventing discrimination and harassment in the workplace, including stereotyping;
- d) ensure that no sexist, racist or other offensive or derogatory material is displayed in the workplace;
- e) establish procedures on employment accommodation in accordance with the Ontario *Human Rights Code* and section 47 of the *PSA*;
- f) implement an employee performance appraisal system that includes key commitments related to diversity and human rights; and
- g) ensure that all officers receive training on diversity and human rights.

Police Service Guidelines

- Procedures* 1. Every police service's procedures on equal opportunity should:
- a) ensure that merit is the basis of hiring, promotion and other employment practices of the police service, thereby allowing individuals to be judged on their knowledge, skills, and abilities;
 - b) require that the essential job qualifications of positions are identified prior to hiring or promoting, including:
 - i) identifying the essential duties of a position; and
 - ii) identifying the qualifications that candidates should have on the first day of the job; and
 - c) require that all job qualifications be bona fide, that is:
 - i) be for a purpose rationally connected to the performance of the job;
 - ii) be adopted in an honest and good faith belief that they are necessary to the fulfillment of that work-related purpose; and
 - iii) be reasonably necessary to the accomplishment of that legitimate work-related purpose.

2. Every police service's procedures and processes on recruitment should:
 - a) indicate the level of knowledge, skills and abilities required by those responsible for the recruitment process;
 - b) set out the training required by those responsible for the recruitment process;
 - c) define when to recruit internally and externally;
 - d) when recruiting externally, identify a strategy for advertising available positions to all segments of the community;
 - e) allow for adequate response time for job postings; and
 - f) ensure persons with a disability have access to the recruitment process (i.e., access to the job advertisement, adequate time for response, accessible process to submit application).

3. Every police service's procedures and processes on selection/promotion should:
 - a) indicate the level of knowledge, skills and abilities required by those responsible for the selection/promotion process;
 - b) set out the training required by those responsible for the selection/promotion process;
 - c) require the screening of all applicants based on essential qualifications required on the first day of the job;
 - d) ensure that the selection criteria are communicated to all applicable employees in advance of the promotional process, to enable the employees to develop or acquire required competencies;
 - e) identify processes for determining if applicants require any accommodation, in order to allow them to participate equally in the process to demonstrate their ability to perform the essential job qualifications;
 - f) ensure when assessing qualifications, that education and experience acquired outside of Canada is given appropriate consideration;
 - g) ensure standardized rating schemes are developed that are consistent with the Ontario *Human Rights Code* and the Supreme Court *Meiorin* decision, and consist of criteria that are reasonable, genuine and directly related to the requirements of the job; and
 - h) ensure that all participants, including the candidates, are aware of the selection/promotional process.

4. Every police service's procedures on responding to and preventing discrimination and harassment should:
 - a) communicate that discrimination and harassment are not to be tolerated in the workplace;
 - b) set out the responsibilities of employees to monitor their own behavior and actively confront discrimination and harassment they observe, and ensure that supervisory staff understand their legal obligations and responsibilities to create a work environment free of discrimination and harassment;
 - c) set out the steps for reporting, responding, investigating, and resolving incidents of discrimination and harassment in the workplace, including taking every precaution to respect the member's privacy, balanced against the need to ensure the safety of all members;

- d) require that all incidents/complaints are dealt with in a timely manner and respectfully and objectively;
 - e) address the mechanism for employees to seek guidance/advice on issues concerning discrimination and harassment;
 - f) require that all internal and external communications produced/delivered do not either overtly or subtly reinforce stereotypes; and
 - g) ensure that all employees, including supervisors, understand their responsibility to ensure that stereotyping does not occur in the workplace.
5. Every Chief of Police should ensure that no sexist, racist or other offensive or derogatory material is displayed in the workplace.
6. Every police service's procedures on employment accommodation should be in accordance with the Ontario *Human Rights Code* and section 47 of the *PSA*, and should:
- a) address accommodation for persons with disabilities, including ensuring that, short of undue hardship:
 - i) employees with a disability receive the accommodation they require in a way that is equitable, respects their dignity, maximizes their ability to contribute and enables them to participate in all aspects of employment with the police service; and
 - ii) applicants with a disability receive the accommodation they require in a way that is equitable, respects their dignity, maximizes their ability to compete for jobs within the police service;
 - b) address the mechanism for accommodating, short of undue hardship, employees with family responsibilities, employees with religious needs and pregnant women;
 - c) ensure the specific needs of an individual employee or applicant are assessed and reasonably met;
 - d) ensure accommodation is provided for all employment activities, for example: staffing; the duties and requirements of positions; and training and career development opportunities; and
 - e) ensure supervisors understand their responsibilities to make the climate of the workplace receptive to persons with a disability.
7. Every Chief of Police should implement an employee performance appraisal system that includes key commitments related to diversity and human rights.
- Training* 8. Every Chief of Police should ensure that all members receive training on diversity and human rights.
9. Every Chief of Police should ensure that, as part of the training on diversity and human rights, the police service's policies and procedures in relation to reporting and addressing workplace discrimination and harassment are reviewed by all members.



WINDSOR POLICE SERVICE BOARD POLICY

Policy Name: Handling of Discipline within the Police Service		Policy Number: HR-007
Responsible Manager: Administrative Director	Review Schedule: As required by CSPA	Effective Date: September 1, 2024
Repeals: NEW	Reporting: Chief twice yearly – Section 5	Next Review Date:

1. PREAMBLE :

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS Part XII – Discipline and Termination provides for the disciplinary process and measures for a police officer who is a member of a police service;

1.3 AND AS Ontario Regulation 407/23 sets out the Code of Conduct with which each police officer must comply (Appendix "A");

1.4 AND AS Subsection 38 (e) of the CSPA requires a police service board to establish a policy respecting the handling of discipline within the police service;

THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:

2. DEFINITIONS:

2.1 "Act" or "CSPA" means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 "Board" means the Windsor Police Service Board;

2.3 "Chief" means the Chief of Police of the Windsor Police Service;

2.4 "Service" means the Windsor Police Service.

2.5 "Member" means a member of the Windsor Police Service

3. POLICY:

3.1 The Board recognizes that public trust and confidence in the Windsor Police Service are essential to effective policing.

3.2 The Board recognizes that to achieve and maintain a high level of trust and confidence by the citizens of the City of Windsor, the Windsor Police Service must be held accountable, and be perceived to be held accountable, when engaging in conduct that is contrary to the values and high ethical standards that the Service strives to uphold.

3.3 The handling of discipline within the Service by the Chief of Police must be demonstrative of the Windsor Police Service's commitment to the safety and well-being of the community.

4. DIRECTIONS TO THE CHIEF:

4.1 The Chief of Police shall establish written procedures for:

- 1) The assessment of the work performance of members of the police service
- 2) The imposition of disciplinary measures on members of the police service

4.2 The Chief of Police shall make the procedures available to the members of the police service and any police associations representing those members

4.3 The Chief of Police shall be guided by consideration of the following principles in the imposition of disciplinary measures of sworn and civilian members:

- 1) The public interest
- 2) Fairness to the Member
- 3) Consistency
- 4) Efficiency

4.4 The Chief shall carry out all disciplinary processes and procedures in accordance with legislated requirements.

5. REPORT TO THE BOARD:

5.1 The Chief of Police shall prepare a report to the Board twice yearly containing the following information:

- (1) The type of misconduct or unsatisfactory work performance that occurred, referencing Ontario Regulation 407/23 – Code of Conduct for Police Officers.
- (2) The number and type of disciplinary measures imposed.
- (3) The number of times a disciplinary measure was imposed:
 - i) without a hearing
 - ii) following a hearing under section 201 of the CSPA

iii) following a hearing under section 202 of the CSPA

(4) For disciplinary measures involving suspension or forfeiture of hours/days:

i) the average number of days or hours, and

ii) the total number of days or hours

(5) The Division and/or Unit to which the Member was assigned when the misconduct occurred


(6) A comparison to the data from the previous reporting period.

6. IMPLEMENTATION:

6.1 This Policy shall come into force on September 1, 2024.

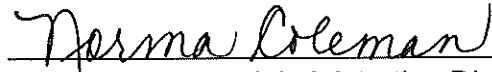
ADOPTED AND PASSED this 29th day of August 2024.

THE WINDSOR POLICE SERVICE BOARD



Drew Dilkens, Chair

Date: Sept 3/24



Norma Coleman, Administrative Director

Date: Sept 3, 2024

Attachment (1)

APPENDIX A



Important: This version of the e-Laws website will be upgraded to a new version in the coming weeks. You can try the beta version of the new e-Laws at ontario.ca/laws-beta.



[Français](#)

ONTARIO REGULATION 407/23

made under the

COMMUNITY SAFETY AND POLICING ACT, 2019

Made: December 14, 2023

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CODE OF CONDUCT FOR POLICE OFFICERS

APPLICATION AND INTERPRETATION

1. (1) This Regulation sets out the code of conduct with which every police officer must comply.
- (2) For greater certainty, the police officers referred to in subsection (1) include police officers who are chiefs of police, deputy chiefs of police or other senior officers as defined in section 217 of the Act.
- (3) Conduct of a police officer does not contravene this code of conduct if,
 - (a) it is done in accordance with a designation made under subsection 25.1 (3) or (6) of the *Criminal Code* (Canada) or an authorization made under paragraph 25.1 (9) (a) of that Act, as applicable, including any conditions that apply to the designation; and
 - (b) it is justified in accordance with the rules set out in section 25.1 of the *Criminal Code* (Canada).
- (4) For greater certainty, the existence of a good faith exception in this code of conduct does not limit the grounds on which an adjudicator might find that a police officer has not contravened this code of conduct.

COMPLIANCE WITH LAWS

2. A police officer shall comply with the Act and the regulations made under it.
3. A police officer shall comply with the *Special Investigations Unit Act, 2019* and the regulations made under it.

4. A police officer contravenes this code of conduct if they are found guilty of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada).

HUMAN RIGHTS AND THE CHARTER

5. (1) A police officer shall not, in the course of their duties, treat any person in a manner that the officer, at the time, knows or reasonably ought to know would contravene the *Human Rights Code*.

(2) A police officer shall not be subject to discipline for a contravention of subsection (1) if the police officer demonstrates, on a balance of probabilities, that their conduct was in the good faith performance of their duties.

6. (1) A police officer shall not, by act or omission, do anything that the officer, at the time, knows or reasonably ought to know would infringe or deny a person's rights or freedoms under the *Canadian Charter of Rights and Freedoms*.

(2) A police officer shall not be subject to discipline for a contravention of subsection (1) if the police officer demonstrates, on a balance of probabilities, that their conduct was in the good faith performance of their duties.

INTERACTIONS WITH THE PUBLIC

7. (1) A police officer shall not make an arrest if, at the time of the arrest, the officer knows or reasonably ought to know that the arrest is unlawful.

(2) A police officer shall not be subject to discipline for a contravention of subsection (1) if the police officer demonstrates, on a balance of probabilities, that their conduct was,

(a) in the good faith performance of their duties; and

(b) consistent with their training and any applicable procedures established by their chief of police.

8. (1) A police officer shall not authorize or make a physical or psychological detention if, at the time of the detention, the officer knows or reasonably ought to know that the detention is unlawful.

(2) A police officer shall not be subject to discipline for a contravention of subsection (1) if the police officer demonstrates, on a balance of probabilities, that their conduct was,

(a) in the good faith performance of their duties; and

(b) consistent with their training and any applicable procedures established by their chief of police.

9. A police officer shall not neglect the health or safety of any individual who is in their custody as a result of the officer's duties.

10. (1) A police officer shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing.

(2) A police officer shall not be subject to discipline for a contravention of subsection (1) if the police officer demonstrates, on a balance of probabilities, that their conduct was in the good faith performance of,

(a) their duties as a police officer; or

(b) their duties as a representative of,

(i) a police association, or

(ii) a police organization referred to in subsection 225 (3) of the Act.

11. (1) A police officer shall not use force unless,

- (a) the force is used for the purpose of carrying out a duty;
- (b) the officer is entitled, by statute or common law, to use force for the purpose of carrying out that duty;
- (c) the officer is acting on reasonable grounds; and
- (d) the force used is no more than is necessary given the circumstances.

(2) A police officer shall not be subject to discipline for a contravention of subsection (1) if the police officer demonstrates, on a balance of probabilities, that their conduct was,

- (a) in the good faith performance of their duties; and
- (b) consistent with their training and any applicable procedures established by their chief of police.

12. (1) A police officer shall not, in the course of their duties, use abusive language with any person or otherwise treat any person in a manner that is abusive.

(2) A police officer shall not be subject to discipline for a contravention of subsection (1) if the police officer demonstrates, on a balance of probabilities, that their conduct was in the good faith performance of their duties.

13. (1) A police officer shall not deliberately conceal any of the following information that is part of their uniform or is otherwise required to be displayed:

1. The officer's name.
2. The officer's badge number.
3. The name of the officer's police service.

(2) While acting in the course of their duties, a police officer shall, upon request, provide their name, badge number and the name of their police service to any member of the public in a manner reasonable in the circumstances that allows the member of the public to identify the officer, unless the officer has reason to believe that doing so would undermine the safety of an individual.

INTEGRITY

14. A police officer shall not solicit, offer or take a bribe.

15. (1) A police officer shall not accept a gratuity or present of more than nominal value from any person or entity if the gratuity or present could influence or could be perceived to influence the performance of the officer's duties.

(2) Subsection (1) does not apply if the officer's chief of police authorizes them to accept the gratuity or present.

16. (1) A police officer shall not use their position as a police officer to do any of the following:

1. Benefit themselves or one or more persons with whom they have a personal relationship, subject to subsection (2).
2. Interfere with the administration of justice.

(2) A police officer does not contravene paragraph 1 of subsection (1) if,

- (a) the benefit occurs incidentally in the usual course of carrying out the officer's duties; and
- (b) the officer's conduct does not contravene any regulations made under the Act with respect to conflict of interest.

(3) In subsection (1),

"personal relationship" includes, but is not limited to, a relationship with any of the following persons:

1. A current or former spouse or common-law partner of the police officer.

2. A current or former intimate partner of the police officer.
3. The police officer's children, including biological and adoptive children and stepchildren.
4. The legal dependants of the police officer.
5. A child in the police officer's care.
6. The police officer's grandparents, parents or siblings, including grandparents-in-law, parents-in-law and siblings-in-law.

17. (1) A police officer shall not disclose to the public information obtained or made available in the course of their duties as a police officer except as authorized in accordance with the procedures established by their chief of police, as necessary for the performance of the officer's duties or as required by law.

(2) Subsection (1) does not apply to information that was already made available to the public by a person who was authorized to do so prior to the officer's disclosure.

18. A police officer shall not access, collect, use, disclose, alter, retain or destroy information obtained or made available in the course of their duties as a police officer if, at the time, they know or reasonably ought to know that doing so would be contrary to law.

PERFORMANCE OF DUTIES

19. A police officer shall not, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, they know or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately.

20. A police officer shall take notes in accordance with the duties of a constable and the procedures established by their chief of police.

21. A police officer shall not perform or attempt to perform duties as a police officer while their ability to perform duties is impaired by alcohol or drugs.

22. (1) A police officer shall report conduct of another member of the police service in accordance with the procedures described in subsection 183 (1), (2) or (3) of the Act, as applicable, or to the Inspector General in accordance with section 185 of the Act, if the officer reasonably believes, or reasonably ought to believe, that the member's conduct constitutes misconduct.

(2) Despite subsection (1), a police officer who is acting as a representative of a police association is not required to report conduct that was made known to the officer for the purpose of obtaining the officer's assistance in their capacity as an association representative, unless failing to report the conduct would pose a serious risk of harm to any person.

(3) Despite subsection (1), a police officer who is participating in an organized peer support group is not required to report conduct of a member of the police service that was made known to the officer in the course of participating in the peer support group, unless failing to report the conduct would pose a serious risk of harm to any person.

23. A police officer shall not leave an area, detachment, detail or other place of duty except as authorized in connection with performing duties as a police officer or as required by law.

24. A police officer shall not purport to speak on behalf of their police service to the media about a matter connected with their police service, except as authorized by their chief of police.

25. A police officer shall not be absent without authorization from or late for any duty without reasonable excuse.

26. A police officer shall comply with every lawful order from a superior and shall not otherwise be insubordinate toward a superior.

27. A police officer shall comply with the procedures established by their chief of police.

28. A police officer shall not lose or cause damage to clothing, equipment or other property issued to them, or obtained or made available to them, in the course of their duties, except as may be necessary to perform their duties as a police officer.

29. A police officer shall report any loss or damage to clothing, equipment or other property described in section 28 to their supervisor as soon as practicable.

30. A police officer shall not engage in workplace violence or workplace harassment, including workplace sexual harassment, as those terms are defined in the *Occupational Health and Safety Act*.

31. A police officer shall not deceive or mislead any person in relation to the officer's duties, the officer's employment or the administration of justice through any act or omission, except to the extent required or authorized for the purpose of carrying out the officer's duties.

COMMENCEMENT

Commencement

32. This Regulation comes into force on the later of the day clause 82 (1) (l) of Schedule 1 (*Community Safety and Policing Act, 2019*) to the *Comprehensive Ontario Police Services Act, 2019* comes into force and the day this Regulation is filed.

Français



WINDSOR POLICE SERVICE BOARD

POLICY

Policy Name: INTERNAL COMPLAINTS AND DISCLOSURE OF COMPLAINTS AGAINST THE CHIEF OF POLICE OR THE DEPUTY CHIEF OF POLICE		Policy Number: HR-008
Responsible Manager: Administrative Director WPSB	Review Schedule: As required by the CSPA	Effective Date: September 1, 2024
Repeals: NEW	Reporting: As per Section 5 of policy	Next Review Date:

1. PREAMBLE

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (1) (a) of the CSPA provides that a Police Service Board shall establish policies respecting, inter alia, the administration of the police service;

1.3 AND AS Section 183 (2) of the said CSPA provides that every Police Service Board shall establish written procedures regarding the disclosure of misconduct that is alleged to have been engaged in by the Chief of Police or Deputy Chief of Police of the Police Service;

1.4 AND AS the CSPA provides that Board members will comply with the O. Reg. 407/23: Code of Conduct for Police Officers;

1.5 AND AS the Board deems it expedient to enact this policy to ensure that the response to internal complaints against the Chief of Police or Deputy Chief of Police adheres to the principles set out in the Act, the Regulations and the Code of Conduct.

THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:

2. DEFINITIONS

2.1 "Act" or "CSPA" means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 "Board" means the Windsor Police Service Board;

2.3 "Chief" means the Chief of Police of the Windsor Police Service;

2.4 "Code of Conduct" means O. Reg. 407/23: Code of Conduct for Police Officers;

2.5 "Deputy Chief" means the Deputy Chief of Police of the Windsor Police Service;

2.6 "Former Member" means a former employee of the Windsor Police Service;

2.7 "Inspector General" means the person appointed to that position by the Lieutenant Governor in Council;

2.8 "Internal Complaint" means a complaint about the conduct of a police officer that is not directed at or otherwise directly affects a member of the public and that, if proven, constitutes misconduct as defined in Section 195 of the CSPA;

2.9 "Member" means a Member of the Windsor Police Service;

2.10 "Ministry" means the Ministry of the Solicitor General;

2.11 "Misconduct" means misconduct as defined in Section 195 of the CSPA.

3. POLICY

3.1 The Board recognizes the critical importance of addressing complaints against the Windsor Police Service's senior leaders with utmost fairness and consistency.

3.2 The Board commits itself to ensuring the presence of thorough, confidential, and respectful processes to handle allegations of misconduct concerning a Chief of Police or Deputy Chief of Police, and it is therefore the policy of the Board that such internal complaints be dealt with in a professional and thorough manner in accordance with Act, the Code of Conduct, and as directed in this Policy.

3.3 This Policy outlines the procedures to be followed in the event that a Member or Former Member of the Service wishes to disclose alleged misconduct by the Chief of Police or a Deputy Chief of Police. It is imperative to note that any form of reprisal stemming from making such a disclosure or seeking advice on the process will not be tolerated and will be met with severe repercussions.

4. INTERNAL COMPLAINTS PROCESS FOR CHIEF OR DEPUTY CHIEF

4.1 It is the policy of the Board that:

4.2 A Member or Former Member of the Service may make a disclosure of alleged misconduct by the Chief of Police or a Deputy Chief of Police. The identity of persons involved in the disclosure will be protected unless to do so would be contrary to the interests of fairness.

4.3 The Member or Former Member shall report allegations of misconduct against the Chief of Police or a Deputy Chief of Police to the Board.

4.4 The complaint shall be in writing, addressed to the Board Chair, and submitted to the Board office. The complaint should include as much detail as possible, including dates, witness names, and any relevant supporting documents.

4.5 The Board Chair shall review the complaint and consider whether the Board must address the matter urgently. The Chair shall ensure that legal counsel is consulted in determining how to address the alleged misconduct, including whether the interests of fairness require the disclosure of the identity of those involved in the complaint, and whether the Board should investigate or refer it to a person who is not a Member of the Service in accordance with subsection 198 (7) of the CSPA.

4.6 Alternatively, the Member or Former Member may disclose misconduct to the Inspector General if,

(a) the Member or Former Member has reason to believe that it would not be appropriate to disclose the misconduct in accordance with this policy; or

(b) the Member or Former Member has already disclosed the misconduct in accordance with this policy and has concerns that the matter is not being dealt with appropriately.

4.7 The Board Chair, Board Members and Board employees shall take all necessary steps to protect the identity of persons involved in the complaint process. If it is necessary to disclose the identity of any individual involved in the process to ensure fairness, the disclosure will only be made after consultation with the individuals whose identities would be disclosed and only to the extent necessary to achieve fairness.

4.8 Any correspondence, including electronic correspondence, concerning the alleged misconduct shall be clearly labelled "confidential".

4.9 No person shall take a reprisal against a Member because they have:

(a) sought advice about making a disclosure about misconduct in accordance with this Policy or under Part XI of the CSPA;

(b) made a disclosure about misconduct in accordance with this Policy or under Part XI of the CSPA;

(c) co-operated in an investigation or other process related to a disclosure of misconduct made in accordance with this Policy or under Part XI of the CSPA;

(d) sought enforcement of this Policy or Part XI of the CSPA.

4.10 For the purpose of this Policy, a reprisal is any measure taken against a member of a Police Service that adversely affects their employment or appointment and includes but is not limited to:

(a) terminating or threatening to terminate the person's employment or appointment;

(b) disciplining or suspending or threatening to discipline or suspend the person;

(c) imposing or threatening to impose a penalty related to the employment or appointment of the person; or

(d) intimidating or coercing the person in relation to his or her employment or appointment.

5. BOARD REPORTING AND DISCLOSURE

5.1 The Chair shall inform the Board of any material information related to the application of this Policy, while maintaining the confidentiality necessary to protect the integrity of complaint processes and the identity of those who may be involved in the processes.

6. IMPLEMENTATION

6.1 Any Policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed.

6.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 22nd day of August, 2024.


THE WINDSOR POLICE SERVICE BOARD



Drew Dilkens, Chair



Date



Norma Coleman, Administrative Director



Date



WINDSOR POLICE SERVICE BOARD

POLICY

Name of Policy: Administration of Public Complaints System – Police Officers		Policy Number: HR-009
Responsible Manager: Administrative Director WPSB	Review Schedule: As required under the CSPA	Effective Date: September 1, 2024
Repeal: NEW	Reporting: Chief to WPSB as per Section 6 (6.1,6.2,6.3)	Next Review Date:

1. PREAMBLE

1.1 WHEREAS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS Parts X, XI and XII of the CSPA set out in detail the requirements of the Board, the Chief and the Complaints Director regarding public complaints made against police officers, including Chiefs of Police and Deputy Chiefs of Police, including procedures for addressing those complaints;

1.4 AND AS O. Reg. 406/23: Discipline requires that a Chief of Police shall establish procedures for the investigation of misconduct, including reports to the Complaints Director of conduct the Chief reasonably suspects constitutes misconduct;

1.5 AND AS O. Reg. 404/23: Adjudication Hearings prescribes procedures for discipline hearings conducted under Sections 201, 202 and 210 of the CSPA;

1.6 AND AS the Board deems it expedient to enact this policy to ensure that the response to public complaints by the Board and the Service adheres to the principles set out in Parts X, XI and XII of the CSPA, O. Reg. 406/23: Discipline, O. Reg Regulation 404/23 Adjudication Hearings, directives, and guidelines received from the Law Enforcement Complaints Agency (LECA) and this Policy;

THE WINDSORPOLICE SERVICE BOARD ADOPTS AS FOLLOWS:

2. DEFINITIONS:

- 2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;
- 2.2 “Board” means the Windsor Police Service Board;
- 2.3 “Chief” means the Chief of the Windsor Police Service;
- 2.4 “Complaints Director” means the person appointed by the Lieutenant Governor in Council under Section 131 of the CSPA as the head of LECA;
- 2.5 “Deputy” means the Deputy Chief of Police of the Windsor Police Service;
- 2.6 “Administrative Director” means the Administrative Director of the Board;
- 2.7 “LECA” means the Law Enforcement Complaints Agency established under Section 130 of the CSPA, which has replaced the Office of the Independent Police Review Director;
- 2.8 “Member” means a member of the Windsor Police Service;
- 2.9 “Police Officer” is defined in accordance with the CSPA;
- 2.10 “Professional Standards Unit” means the Unit within the Service designated by the Chief to deal with discipline matters, including Public Complaints, and to liaise with LECA; and;
- 2.11 “Service” means the Windsor Police Service.

3. POLICY:

3.1 The Board recognizes and adheres to the principle that fair, open, prompt, thorough and efficient response to Public Complaints is a cornerstone to establishing and maintaining a positive community-police relationship, and it is therefore the policy of the Board that such complaints be dealt with in a professional and thorough manner in accordance with Parts X, XI and XII of the CSPA, O. Reg. 406/23: Discipline, O. Reg 404/23 Adjudication Hearings, directives and guidelines received from the Law Enforcement Complaints Agency (LECA), and procedures established by the Chief as directed in this Policy.

4. DIRECTION TO THE CHIEF – PUBLIC COMPLAINTS

4.1.1 The Chief shall develop and maintain a procedure to ensure that complaints are processed in accordance with the provisions of Part X, XI and XII of the CSPA, and shall provide a copy of the said procedure to the Board.

4.1.2 The Chief shall maintain a Professional Standards Unit, adequately staffed and trained, to liaise with the LECA, to receive, investigate and where appropriate, prosecute or assist in the prosecution of Public Complaints against police officers in accordance with Part X, XI and XII of the Act and Regulations 406/23 and 404/23.

4.1.3 If a Board Member or the Chief receives a report from a person or body responsible for receiving complaints about police officers in another province about the conduct of an Ontario police officer, the Board Member or Chief shall give the report to the Complaints Director in accordance with Section 156 of the CSPA.

4.2 The Chief shall ensure that said procedure referred to in Article 4.1 above includes the following provisions:

4.2.1 That Public Complaint process information, including Public Complaint forms provided by the LECA, be posted and made available in each District in an area accessible to the public;

4.2.2 That Public Complaints received by any member of the Service be forwarded immediately to the Chief to be dealt with in accordance with Part X of the CSPA;

4.2.3 That when the Service is accepting a complaint it will ensure that notice of the complaint is not provided to the respondent officer or any other officer until the Complaints Director makes a direction in accordance with its powers under Section 157 (3) of the CSPA;

4.3 That adequate training is provided to all Members of the Service in respect of the complaints procedures of the Service and Parts X, XI and XII of the CSPA and Ontario Regulations 406/23 and 404/23.

4.4 That the Chief and the Professional Standards Unit's Inspector or their designee cooperate and follow the direction of the Complaints Director in respect of all Public Complaints, including but not limited to providing the Complaints Director with information to assist in screening or assigning the complaint to investigation, investigating the complaint, reporting on the investigation, and prosecuting or assisting the Complaints Director in the prosecution of the complaint when appropriate;

4.5 That the procedures developed by the Chief include a mechanism to provide assistance for Public Complainants who may not be literate, or who may not be fluent in English;

4.6 That all notices to the Complainant, the police officer who is the subject of the Complaint, the Compliant Director and the Board be given as required by the CSPA.

5. CONDUCT COMPLAINTS AGAINST THE CHIEF OR DEPUTY CHIEF:

5.1 Conduct Complaints about the Chief or Deputy Chief shall be referred to the Complaints Director immediately upon receipt by the Board.

5.2 The Board shall comply with the provisions of the CSPA and comply with direction given by the Complaints Director.

6. REPORTING REQUIREMENTS:

6.1 CONDUCT COMPLAINTS OF A SERIOUS NATURE

6.1.1 The Chief shall make a confidential written report in respect of any Conduct Complaint which involves allegations of criminal misconduct by a police officer, or which involves allegations of misconduct described in Part X, XI or XII of the CSPA or Regulation 407/23: Code of Conduct, either of which are of such a serious nature that, if proven, are likely to call into question the reputation or integrity of the Service, or which involve the public interest.

6.1.2 The Chief shall not make this confidential written report to the Board without the prior consent of the Complaint Director.

6.1.3 The said reports shall contain information as to the nature of the conduct alleged, the action being taken regarding the complaint, and any other information which the Chief feels is relevant but shall not include the name of the police officer who is the subject of the report.

6.2 BOARD REPORTS

6.2.1 The Chief shall make quarterly written reports to the Board on the administration of the Public Complaints process.

6.2.2 The reports, as provided in 6.2.1 above, shall include comparative data for the same period in the immediately preceding calendar year.

6.2.3 The report shall provide cumulative year-to-date information on Public Complaints as provided in 6.3 below.

6.2.4 The Chief shall include the relevant Complaints information in the Annual Report of the Service.

6.3 The reports shall include the following information in respect of conduct complaints, except for those complaints against the Chief or the Deputy Chief:

6.3.1 the total number of conduct complaints made;

6.3.2 the number of referrals to the Complaint Director;

6.3.3 the number of conduct complaints determined to be unsubstantiated after investigation, or not acted upon pursuant to Section 158 of the CSPA;

6.3.4 the number of hearings and findings from the hearings held pursuant to Sections 201 and 202 of the CSPA;

6.3.5 the number of complaints dealt with informally pursuant to Section 169 of the CSPA, together with a summary of the nature of the complaints dealt with informally and the informal resolutions achieved;

6.3.6 the number of complaints resolved or dealt with pursuant to Section 215;

6.3.7 a summary of the penalties imposed pursuant to Sections 200, 201 and 202 of the CSPA;

6.3.8 the number of outstanding complaints as at the end of the reporting period; and

6.3.9 the time to complete each complaints process from the date the complaint is received to the date it is disposed of.

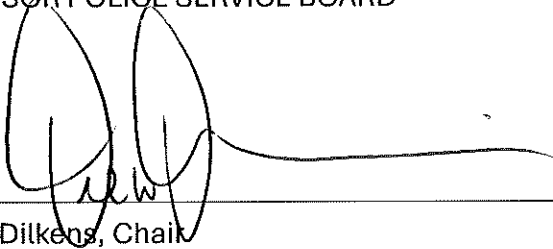
7. IMPLEMENTATION

7.1 All policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

7.2 This Policy shall come into force on September 1, 2024

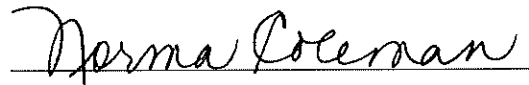
ADOPTED AND PASSED this 29th day of August 2024

WINDSOR POLICE SERVICE BOARD



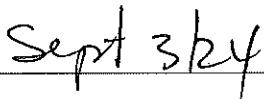
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Drew Dilkens, Chair



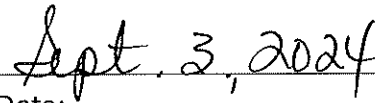
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Norma Coleman, Administrative Director



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Date:



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Date: