OWEN SOUND POLICE SERVICE

BOARD POLICY

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OSPSB GP-003 Board Governance

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1. Policy Statement:

The purpose of this Policy is to define the procedures of the Owen Sound Police Service Board (the "Board") in alignment with the *Community Safety and Policing Act (CSPA),* 2019, and other relevant legislation. This Policy ensures that the Board's operations are conducted in a manner that is transparent, accountable, and promotes effective governance.

2. Mission Statement:

To deliver high quality policing services while fostering collaborative partnerships and community engagement that strengthen public safety and community well-being.

3. **Preamble:**

a) It is the responsibility of the Board to provide police services for the maintenance of law and order in the City of Owen Sound (the “Municipality”) and to provide and maintain adequate police services in accordance with the policing needs of the Municipality; and

b) It is the duty of the Chief of Police, in the capacity as chief law enforcement officer for the Municipality, to administer the Police Services of the City in accordance with objectives, priorities and policies established by the Board and to be responsible only to the Board.

4. **Definitions:**

a) *CSPA* means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, as amended from time to time;

b) "Agenda" means the document prepared for distribution as prescribed by Section 18 of this Policy;

c) "Board" means the City of Owen Sound Police Service Board, established under Part IV of the *CSPA;*

a) "Chair" means the Chair of the Board pursuant to section 36(1) of the *CSPA*;

b) "Vice-Chair" means a member required to act from time to time in the place and stead of the Chair, pursuant to Section 9 of this Policy;

c) "Member" means a member of the Board, pursuant to section 31 of the *CSPA*;

d) “Regular Meeting” means the regular monthly meetings of the Board, pursuant to section 43 of the *CSPA*;

e) "Closed Meeting" means a meeting or part of a meeting that is closed to the public in accordance with section 44 of the *CSPA*;

f) "Special Meeting" means a meeting called other than a regularly scheduled meeting called pursuant to the *CSPA* or the Provisions of this Policy;

g) "Committee" means a standing or ad hoc committee and any other similar entity composed of individuals of the Board pursuant to the *CSPA;*

h) “Municipality" means The Corporation of the City of Owen Sound;

i) "Days" means calendar days exclusive of Saturday, Sundays, and Statutory holidays;

j) Delegation" means an address to the Board at the request of a person wishing to speak;

k) "Chief of Police" means the Owen Sound Police Service Chief of Police reporting to the Board;

l) Deputy" means the Owen Sound Police Service Deputy Chief of Police reporting to the Board;

m) "Quorum" means a majority of the Members of the Board

n) "Recorded Vote" means the making of a written record of the name and vote of each Member present who votes on a question and of each Member present who does not vote;

o) "Resolution" means the decision of the Board on any motion, duly passed in accordance with this Policy.

p) "Secretary" means the Secretary of the Owen Sound Police Service Board; and

q) "Association" means the Owen Sound Police Association.

5. **Policy Statement:**

a) The rules and procedures herein shall be observed and shall be the rules and procedures for the order and dispatch of business of the Board;

b) Except as herein provided, Roberts' Rules of Order shall be followed for governing the proceeding and conduct of Board Members;

c) Except as provided herein, no person, except Members of the Board, the Chief of Police, the Deputy Chief of Police and the Secretary, shall be allowed the floor to speak during a meeting without the majority consent of the members in attendance at the meeting; and

d) The rules and regulations contained in this Policy may be suspended by a vote of two-thirds of the whole Board.

6. **Composition of the Board**:

a) The Board shall consist of five (5) members in accordance with the *CSPA* and consist of the following:

I. The head of the Municipal Council or, if the head chooses not to be or is ineligible to be a Member of the Board, another member of the Municipal Council appointed by resolution of the municipality;

II. One member of the Municipal Council appointed by resolution of the municipality;

III. Two persons appointed by the Lieutenant Governor in Council; and

IV. One person appointed by resolution of the Municipality, who is neither a member of the Municipal Council nor an employee of the Municipality.

7. **Selection of Chair and Vice-Chair:**

a) In accordance with section 36 (1) of the *CSPA,* the Members of the Board shall, at the first meeting held in January of each year, select from amongst its Members, a Chair and Vice-Chair for one year;

b) The election of Chair shall be conducted by the Secretary;

c) The election of the Vice-Chair shall be conducted by the Chair;

d) If multiple Members are nominated, each nominated Member shall have an opportunity to speak briefly before voting proceeds;

e) Voting for Chair shall be by show of hands, in alphabetical order of nominees' surnames, with the nominee receiving a majority vote being appointed;

f) If an initial vote for Chair results in a tie or without majority vote, additional rounds of voting shall occur after brief recesses, until a nominee receives a majority vote or the matter is decided by lot drawn by the Secretary; and

g) The same process in Section 7 (b) - (e) of this Policy shall be followed for election of the Vice-Chair, conducted by the newly elected Chair.

8. **Replacement of the Chair:**

a) Subject to section 36 (1) of *the CSPA*, read in conjunction with section 77 of the Legislation Act, 2006, which confers the authority on the Board to appoint a Chair, a Chair may be replaced by the vote of the majority of Board Members for governance reasons. For clarity, governance reasons include anything the Board believes serves the best interests of the Board other than a breach of the Code of Conduct or other misconduct as defined in the *CSPA* and its *Regulations*;

b) In the event of a breach of the Code of Conduct or other misconduct as defined in the *CSPA*, by the Chair, the Chair may be removed from the Board in accordance with the provisions of the *CSPA* or as otherwise permitted by law; and

c) Upon reappointment or replacement of the Chair under Sections 8 (a) or 8 (b) of this Policy, the Board shall elect a new Chair at the same or next meeting in accordance with Section 7 of this Policy

9. **Responsibilities of the Chair:**

The Chair shall:

a) Preside at all meetings of the Board;

b) Set and approve the agenda for all meetings of the Board;

c) Act as the spokesperson for the Board and represent the Board at official functions;

d) Report on the activities of the Board, to Council as requested;

e) Commence the meetings of the Board by taking the Chair and calling the meeting to order;

f) Announce the business before the Board and the order to be acted upon;

g) To receive and submit, in proper manner, all motions presented by the Members;

h) Put to a vote all motions, which are moved and seconded, or necessarily arise in the course of a Board meeting, and to announce the result;

i) To sit as ex-officio as a Member of all Committees of the Board and be entitled to participate and vote at the meetings;

j) Decline to bring forward motions to a vote which do not comply with this Policy, or which are not within the jurisdiction of the Board under the *Act*;

k) Enforce the Rules of Procedure, maintain order and preserve the decorum of the meeting;

l) Where it is not possible to maintain order, to adjourn or suspend the meeting to a time specified by the Chair, without any motion being made;

m) Permit any question to be asked through the Chair of any employee of the Police Service in order to provide information to assist in any debate when the Chair deems it appropriate;

n) Rule on any points of order raised by Members;

o) Sign all documents for and on behalf of the Board including but not limited to bylaws, resolutions, orders, and agreements which have been approved by the Board;

p) To adjourn the meeting when business is concluded or upon a motion to adjourn or to recess the meeting as required; and

q) Subject to Section 21 of this Policy, upon becoming aware of a possible breach of the Code of Conduct, the *CSPA* or any Board Bylaw or Policy, by any Board member, shall make inquiries of the Member, Chief of Police or Legal Counsel as may be appropriate. In addition, bring to the attention of the Board any information which may be construed as being a breach of the Code of Conduct or this Policy.

10. **Responsibilities of Vice-Chair**

a) The Vice-Chair shall act in the absence of the Chair and shall have the same authority as the Chair would have if present; and

b) If both the Chair and Vice-Chair are absent from a meeting, the Members present shall elect an Acting Chair for that meeting until the Chair or Vice-Chair is available.

11. **Responsibilities of Secretary:**

Secretary shall:

a) Organize meetings, prepare agendas for the meeting in consultation with the Chair, and ensure their timely distribution;

b) Attend all Board meetings and Committee meetings;

c) Record the minutes of the proceedings at the meetings of the Board and Committees of the Board; and

d) Receive and circulate all communication addressed to the Board.

12. **Responsibilities of the Board:**

The Board shall be responsible for those duties as set out in section 10 and section 37 (1) of the *CSPA* as applicable and shall at all times discharge those duties in accordance with *Ontario Regulation 408/23 - Code of Conduct for Police Service Board Members*

a) Individual Board Members shall reference and comply with policy OSPSB GP-016 Code of Conduct for Board Members and *Ontario Regulation 408/23 - Code of Conduct for Police Service Board Members*

13. **Committees of the Board:**

a) In accordance with section 42 of *the CSPA*, the Board may at any time appoint one or more Members to a Committee to inquire into matters under the Board's jurisdiction.

b) The Committee shall report upon its work to the Board at the next meeting of the Board following the date of the Committee meeting; and

c) The following standing Committees of the Board are established to give recommendations to the Board for the Board's approval:

I. Negotiation Committee – having, subject to the approval of the Board, authority to deal with matters relating to negotiations with the Association;

II. Space Utilization Committee – having, subject to approval of the Board, authority to deal with matters related to renovations to the Police Service's building; and

III. Labour/Management Committee - The Officers' Agreement and Civilian Branch Agreement require a committee of two (2) Association members (1-Uniform & Civilian) and two (2) representatives of management shall meet twice a year to discuss matters related to the Collective Agreement.

14. **Regular Meetings of the Board:**

a) The Board shall hold its regular meetings on the 4th Wednesday of each month. The day, time and place of regular meetings may be set or altered by resolution of the Board or at the discretion of the Chair;

b) At least 72 hours; notice shall be given to the public and the media before regular meetings of the Board such notice shall be by placement of the Agenda on the Municipalities and/or Police Services website;

c) Regular meetings shall commence with Public Agenda followed by Closed Agenda and Confidential Closed as required;

d) Closed Agenda Items shall be as outline in Section 25 (a) and (b) of this Policy;

e) All regular meetings of the Board, except for Closed items, shall be open to the public;

f) The Board shall hold at least four (4) regular meetings during each calendar year;

g) Pursuant to section 43(5) of the *CSPA* the Board or the Committee, as applicable, shall publish notice of a meeting that is open to the public on the Internet, subject to the regulations made by the Minister, if any;

h) Pursuant to section 43(6) of the *CSPA* the notice shall be published at least seven days before the meeting, except in extraordinary circumstances;

i) Pursuant to section 43 (7) of the *CSPA*, the contents of the notice must include:

I. The proposed agenda for the meeting; and

II. Either:

- the record of the most recent meeting of the Police Service Board that was open to the public, other than the record of any part of the meeting that was closed to the public; or

- instructions on how a member of the public may access the record referred to in the Section above.

j) Meetings may be held in-person, virtually by electronic means, or through a hybrid model as determined by the Chair;

k) For fully virtual meetings, the public shall be provided access to open session portions through conferencing details included on the public agenda and Board website. Public participation shall be restricted to observation only, except for registered delegations;

l) The Chair shall preside over all meetings. If the Chair does not attend within 15 minutes after the scheduled start time, the Vice-Chair shall preside. If neither attends, the Members present shall appoint an Acting Chair for that meeting by resolution;

m) The Board may cancel the next regular meeting or may change any one or more of its dates, or its time upon the concurring votes of a majority of the Members; and

n) The Chair or in the absence of the Chair, the Vice-Chair as the case may be, may cancel a regular meeting of the Board, where the Chair or Vice-Chair deems such meeting is not warranted.

15. **Quorum:**

a) Quorum shall be a majority of the Board's Members in accordance with section 43(2) of the *CSPA*;

b) A quorum at any meeting shall consist of at least three (3) Members of the Board. The Chair, or the Vice-Chair, in the absence of the Chair, must be one of the Members in attendance;

c) Members participating electronically in open or closed sessions shall be deemed present for the purpose of quorum;

d) If no quorum is present within 30 minutes after the scheduled start time, the Chair shall call the roll and have the Secretary record the Members present. The meeting shall be adjourned to the next regular meeting date or at the call of the Chair for a special meeting;

e) If quorum is lost during a meeting, the Chair shall recess the meeting. If quorum is not regained within 30 minutes, the Chair shall call the roll, have attendance recorded, and adjourn the meeting; and

f) Any agenda business not addressed due to lack of quorum shall be added to the next regular meeting agenda.

16. **Special Meetings of the Board:**

a) The Chair, or in absence of the Chair, the Vice-Chair, may at any time summon a special meeting of the Board and shall do so whenever requested by a majority of the Members of the Board;

b) The Secretary shall give notice to the Members of the Board of all special meetings of the Board whenever required by competent authority to do so. Such notice shall be by telephone, electronically, or other means deemed appropriate by the Secretary;

c) No special meeting of the Board may be held with less than 24 hours notice to the Members;

d) Notification of the public will be deemed complete with online posting of the Agenda on the Municipalities or Police Service's website made 24 hours in advance of a meeting called under Section 16 (a) of this Policy;

e) In urgent situations, the Chair may call a special meeting on shorter notice delivered in the most expeditious manner;

f) The notice shall state the business to be considered, and no other business shall be conducted except with agreement of all Members present. Decisions on agenda items shall be explained and recorded in the minutes; and

g) A special meeting may only be cancelled by the Chair, or Vice-Chair if the Chair is absent, with the consent of a majority of Members.

17. **Calling a Meeting Order**:

a) The Chair shall call the meeting to order, as soon as possible after the scheduled start time, provided quorum is present.

b) Quorum:

I. If no quorum is present to enable a meeting to commence one-half hour after the time appointment for a meeting of the Board, the Secretary will, at the request of those Members present, call the roll, and record the names of the Members present and the Members will stand discharged from waiting further;

II. If a meeting does not take place because of a lack of quorum the Chair may announce a rescheduled date, time, and place for such a meeting to occur; and

III. The Secretary will attempt to give notice of any meeting so rescheduled by telephone or electronic mail or as is otherwise practical, within the time available.

18. **Board Agenda:**

a) The Secretary shall cause an Agenda to be prepared, in the following order, for the use of the Members at the regular meetings of the Board:

I. Call to Order;
II. Land Acknowledgement;
III. Approval of the Agenda;
IV. Declarations of Conflict/Pecuniary Interest by Members;
V. Presentations/Delegations;
VI. Confirmation of minutes from previous meeting
VII. Business arising out of the minutes
VIII. Correspondence Received;
IX. Chairman's Report;
X. Governance;
XI. Reports from staff;
XII. Financial Reports;
XIII. Operating Reports from the Chief;
XIV. Other Items and New Business;
XV. Motion to move into Closed and Confidential Closed, if required;
XVI. Reporting out of Closed and Confidential Closed, if required; and
XVII. Termination of Meeting.

b) The Secretary shall meet or consult with the Chief of Police or designate to receive all reports and supporting materials for the Agenda seven (7) days prior to the date for the Board Meeting and shall consult with the Chair. An item which is not included in the Agenda may not be introduced at the meeting, without the consent of a majority of the Members present;

c) Every letter, petition and other communication addressed to the Board shall be received by the Secretary of the Board who shall:

   I. Where, in the opinion of the Secretary, the subject matter of any communication is properly within the jurisdiction of the Board, add it to the Agenda for the next regular meeting of the Board to be dealt with; and

   II. Where, in the opinion of the Secretary, and confirmed by the Chair, the subject matter of any communication within the jurisdiction of the Police Service, shall refer it to the Chief of Police for necessary action and a report presented at the next Board meeting, if required.

d) The Secretary shall deliver the Agenda for each regular meeting to each Member of the Board not less than seventy-two (72) hours prior to the hour appointed for holding of the meeting via electronic mail or other method(s) accepted by the Board;

e) Public and In Camera Agendas - every regular meeting will feature both Public and In Camera Agendas. The In Camera Agenda, distinctively marked on paper, includes items requiring confidentiality as dictated by the *CSPA* or the *Municipal Freedom of Information and Protection of Privacy Act* or matters exclusively relevant to Board Members.

19. **Disclosure – Conflict of Interest**:

a) The Chair and Members shall be governed by the *Municipal Conflict of Interest Act, R.S.O, 1990* and the Agenda shall include a provision for Members to declare a conflict or conflicts of interest or a pecuniary interest in a matter;

b) Where a Member, either on their own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Board at which the matter is the subject of consideration, the Member shall:

   I. Prior to any consideration of the matter at the meeting, disclose the interest and the general nature of the matter;

   II. Not take part in the discussion of, or vote on any question in respect of the matter; and

   III. Not attempt in anyway whether before, during or after the meeting to influence the voting on any such question

c) Where a meeting is not open to the public, in addition to complying with the requirements, the Member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration;

d) Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest and otherwise comply at the first meeting of the Board attended by them after the particular meeting; and

e) The Secretary shall record in reasonable detail, the particulars of any disclosure of conflict of interest, and the particulars shall appear in the minutes of that meeting of the Board.

20. **Delegations:**

a) Any person desiring to be heard as a delegation shall submit a written request to the Secretary through the Board, on the prescribed form, Appendix B;

b) Electronic Participation in Meetings – any person may participate in Board meetings electronically, under the following conditions:

I. Availability of suitable electronic participation methods for the meeting; and

II. Electronic participation must be clear, reliable, and facilitate two-way communication. Connections causing unreasonable delays or interference may be discontinued to preserve meeting integrity.

c) The completed prescribed form must be received by the Secretary not later than noon (12:00 pm) on the Wednesday of the week preceding the day of the meeting;

d) Delegations addressing the Board shall confine their remarks to the business stated in their request to be heard and shall present same in a respectful and temperate manner;

e) The Board may at its discretion, expressed by resolution adopted by two thirds (2/3) vote of its Members present hear any person in attendance;

f) Delegations shall be limited to a maximum often (10) minutes of presentation time and ten (10) minutes of Board questions unless preauthorized by the Chair or Secretary. Additional preauthorized time will be indicated on the agenda. A delegation will be permitted a maximum of two spokespeople to address the Board during the permitted time;

g) Should there be more than one delegation requested representing the same topic position at any meeting, the person requesting same shall be advised of the earlier request. The second and any additional requests for a delegation on the same meeting representing the same topic position shall be denied. If a delegation is requested representing a different position on the same issue the delegation will be permitted;

h) A delegation once heard, shall not be entitled to be heard on substantially the same matter for a period of three (3) months from the date of first being heard, unless new information is being provided to assist the Board in its decision making. It will be determined by the Chair and/or Secretary if the information being provided shall be deemed to be new;

i) Refusal of a request to appear as a delegation may be appealed to the Chair. The ruling of the Chair shall be final;

j) Delegations will not be scheduled whose subject relates to a matter currently before the Courts or Administrative Tribunals. No appeal to the Chair will be heard for refusal of delegation requests whose subject matter is before the Courts or Administrative Tribunals;

k) Upon the completion of a presentation to the Board by a delegation, any discourse between Members of the Board and the delegation shall be limited to Members asking questions for clarification and obtaining additional, relevant information only. Members of the Board shall not enter into debate with the delegation respecting the presentation;

l) No delegation shall:

   I. Speak disrespectfully of any person;

   II. Use offensive words or unparliamentary language;

   III. Speak on any subject other than the subject for which they have received approval to address the Board; or

   IV. Disobey the rules of procedure or a decision of the Chair.

m) The Chair may curtail any delegation, any questions of a delegation or debate during a delegation for disorder or any other breach of this procedure and, where the Chair rules that the delegation is concluded, the person or persons appearing shall immediately withdraw.

21. **Conduct of Members:**

a) Members shall adhere to the *CSPA* and Its *Regulations*, alongside any additional policies ratified by the Board. This ensures all actions and discussions uphold the highest standards of integrity and respect.

b) Prohibited Conduct:

I. Use offensive words or unparliamentary language in meetings of the Board or against any Member;

II. Deviate from the topic under discussion, ensuring a focused and productive debate'

III. Criticize any decision of the Board except for the purpose of moving that the question be reconsidered;

IV. Speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;

V. Disobey the rules as set out in this Policy or a decision of the Chair, on questions of order or procedure as set out in this Policy;

VI. Resolution of the Board, or upon the interpretation of the rules of the Board; and

VII. If a Member persists in disobedience after having been called to order by the Chair, the Chair shall forthwith put the question, no amendment, adjournment, or debate being allowed: "That such Member be ordered to leave their seat for the duration of the meeting of the Board."

- If a Member who has been ordered to leave their seat apologizes to the Chair and the other Members, they may, by vote of the Members, be permitted to retake their seat.

22. **Rules of Debate:**

a) Every Member, before speaking to a question or motion shall first receive recognition from the Chair and then the Member shall address the Chair;

b) When a Member wishes to speak to any question, motion, or item, they shall in an orderly fashion attempt to obtain the Chair's attention to indicate that such

Member wishes to speak, and the Chair shall keep a list of those Members who have so indicated a desire to speak. The Chair shall then recognize the Members who wish to speak in the order in which their intentions have come to the Chair's attention and appear on the list;

c) When two or more Members indicate their intention to speak, the Chair shall recognize the Member who, in their opinion, first indicated their intention to speak, and that Member may speak to the question or motion first;
d) When a Member is speaking no other Member shall pass information between any Member or the Chair or interrupt that Member except to raise a point of order;

e) A Member may require the question or motion under discussion to be read at any time during the debate, but so as not to interrupt a Member who is speaking;

f) No Member shall speak more than twice to the same question or motion without consent of the Chair, except to explain a part of their speech which the Member feels may have been misunderstood, but in no instance, shall the Member be permitted to introduce any new matter;

g) Notwithstanding Section 22 (f) of this Policy, a reply may be made by the Member who has presented a motion to the Board, following the conclusion of the speeches of the other Members;

h) No Member shall speak to the same question or motion, or in reply, for more than ten minutes, without leave of the Chair;

i) After a question is put by the Chair, no Member shall speak to the question, nor shall any other motion be made until after the vote is taken and the result has been declared; and

j) If a Member considers that a ruling by the Chair is not in order, an appeal may be made. When challenged, the Chair may give a brief explanation of the ruling and ask the Members "Is the ruling of the Chair upheld?" In the event of a tie vote, the ruling is upheld. The decision of the Board under this Section is final.

23. **Motions:**

a) All motions, except a motion to adjourn, shall be in writing, duly moved and seconded and passed to the Chair before being discussed or being put to a vote;

b) The Board Chair shall read a motion before a vote is taken if required to do so by a Member;

c) After a motion has been moved, it may be withdrawn by the mover at any time before a vote is taken;

d) A motion properly before the Board for decision must receive disposition before any other motion can be received, except motions:

I. To adjourn;

II. To amend;

III. To refer;

IV. To suspend the rules of procedure;

V. To table the question; and

VI. To vote on the question.

e) A motion to adjourn the meeting may be made at any time except:

I. When a Member is speaking or during the taking of a vote;

II. When the question has been called; and

III. When a Member has already indicated to the Chair that they desire to speak on the question;

And, when resolved in the negative, cannot be made again until the Board has conducted further proceedings.

f) A motion to amend:

I. Shall be relevant to the question to be decided; and

II. Shall not be received if it in essence constitutes a rejection of the main questions;

And only one motion to amend such amendment shall be permitted, and any further amendment shall be made to the main questions.

g) A motion to refer the question shall include:

I. The name of the Committee, or other body or official to whom the question is to be referred; and

II. The terms upon which the question is to be referred;

And any debate will only be permitted with respect to the desirability of referring the question and the terms of the referral, and no discussion of the main question or an amendment thereto shall be allowed until after its disposition.

h) After any question, except one of indefinite deferment has been decided by the Board, any Member who was present and who voted in the majority may, at a subsequent meeting of the Board, move for the reconsideration thereof, provided due notice of such intention is given as required by this Policy, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted; and

i) No question shall be reconsidered more than once at a meeting of the Board.

24. **Voting on Motions:**

a) A motion shall be deemed to have been carried when a majority of the Members present, and voting have expressed their agreement with the questions;

b) When the Chair is satisfied that a question contains distinct proposals, they may divide the question or upon the request of a Member, shall divide the question, and the vote upon each proposal shall be taken separately;

c) Every Member present at a meeting of the Board when a question is put shall vote thereon unless prohibited by statute, in which case the Secretary shall record the name of the Member and the reason that they are prohibited from voting;

d) If a Member present does not vote when a question is placed, they shall be deemed to have voted in the negative, except where the Member is prohibited from voting by Statute;

e) When a recorded vote is permitted and required the Secretary shall conduct the vote in a counter-clockwise direction, starting on the Chair's right hand, asking the Members in favour to indicate with "yes", asking the Members opposed to indicate with "no", and recording each vote as it is cast;

f) The Secretary will advise the Chair of the count of the vote, and the Chair will announce the results; and

g) Where on any question on which there is a tie vote, the motion shall be deemed to have been lost.

25. **Public and In Camera Meetings:**

a) Meetings of the Board shall be open to the public except as provided for in section 43(3) of the *CSPA;*

b) A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

I. The security of the property of the Board;

II. Personal matters about an identifiable individual, including Members of the Police Service or any other employees of the Board;

III. A proposed or pending acquisition or disposition of land by the Board;

IV. Labour relations or employee negotiations;

V. Litigation or potential litigation affecting the Board, including matters before Administrative Tribunals;

VI. Advice that would be inadmissible in a Court by reason of any privilege under the law of evidence, including communications necessary for that purpose;

VII. A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

VIII. A trade secret or scientific, technical, commercial or financial information that belongs to the Board and has monetary value or potential monetary value;

IX. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Board;

X. Information that section 8 of the *Municipal Freedom of Information and Protection of Privacy Act* would authorize a refusal to disclose if it were contained in a record; or

XI. An ongoing investigation respecting the Board.

c) Notwithstanding Section 25 (b) of this Policy, a meeting or part of a meeting shall be closed to the public if the subject matter to be considered cannot be disclosed pursuant to the *Municipal Freedom of information and Protection of Privacy Act, R.S.O. 1990. C. M.56* as amended; and

d) No persons other than Board Members and those persons authorized by the Board from time to time, shall attend closed meetings of the Board, and all other persons other than the Board Members shall vacate the meetings if requested to do so by the Chair.

26. **Transparency and Confidentiality in Meetings:**

a) Board meetings shall remain accessible to the public, barring exceptions outlined in Sections 25 (b) or (c) of this Policy due to the sensitive nature of discussed topics;

b) Digital Engagement:

I. The commencement of each meeting shall include a disclosure regarding livestreaming/video recording;

II. Recorded meeting archives will be accessible post-meeting, without constituting the official meeting record, which remains the approved minutes.

III. Delegates and presenters shall be notified beforehand of livestreaming for transparent public access.

27. **Duty of Confidentiality:**

Pursuant to section 44(4) of the *CSPA* The Members of the Board or Committee shall keep any matter considered in a meeting closed under Section 26 (b) or (c) of this Policy confidential, including by keeping confidential any information obtained for the purpose of considering the confidential matter, except:

a) For the purpose of complying with an inspector exercising their powers or duties under the *CSPA*;

b) As may otherwise be required in connection with the administration of the *CSPA,* the *Special Investigations Unit Act, 2019* or the *Regulations* made under either of them;

c) As may be required for a law enforcement purpose; or
d) Where disclosure is otherwise required by law; and

e) **Disclosure by Resolution:**

Despite Section 27 of this Policy, a Board may, by resolution, disclose or authorize a Board Member to disclose any matter considered in a meeting closed under Section 26 (b) or (c) of this Policy, which may include disclosing information obtained for the purpose of considering the confidential matter.

f) **Educational or Training Sessions:**

A meeting of the Board, or of a Committee of the Board, may be closed to the public if the following conditions are both satisfied:

I. The meeting is held for the purpose of educating or training the Members of the Board or of the Committee; and

II. At the meeting, no Member of the Board or Committee considers or otherwise deals with any matter in a way that materially advances the business or decision-making of the Board.

28. **Adjournments:**

a) The Chair may adjourn a meeting without a majority vote of the Members in attendance at the meeting, only if:

I. Discussion and conduct has degenerated to the point where order cannot be restored;

II. An emergency exists, such as fire or flood; or

III. All business on the approved Agenda for the meeting has been concluded.

b) Any Member may move adjournment at any time during a Board meeting except when another motion is being discussed. Unless all business on the approved Agenda for the meeting has been concluded, such motion, to affect the adjournment, must be seconded by another Member and must receive a majority vote in favour of the motion by the Members in attendance at the meeting.

29. **Recess:**

The Chair may declare a recess during a meeting whenever the Chair considers it prudent to do so. A Member may interrupt during a meeting to move that a short recess be declared. Such a motion is fully debatable and must be decided by a majority vote.

30. **Challenging the Chair:**

Every Member in attendance at a meeting has the right to challenge any decision or ruling of the Chair. Those proposing a challenge to the Chair shall do so by stating: "I challenge the Chair", and then, briefly, stating the reason(s). The Chair shall recognize the challenge. Debate on a challenge is not permitted.

The Chair, upon being challenged, has the option of immediately**:**

a) Revising their decision or ruling to the satisfaction of the challenger, or

b) Putting the matter to a vote of the Members in attendance at the meeting.

Only a majority vote of the Members in attendance at the meeting can reverse a decision or ruling of the Chair. In the event of a tie vote, the decision or ruling of the Chair is sustained.

31. **Board Meeting Minutes:**

a) The Secretary shall ensure comprehensive minutes are documented for every Board meeting, capturing:

   I. Date, time, and location of the meeting;

   II. Attendee names, including the presiding Chair and Board Members;

   III. Confirmation and any adjustments of previous meeting minutes;

   IV. Declaration of conflicts of interest; and

   V. A concise record of all deliberations and resolutions.

b) Minutes shall objectively encapsulate Board decisions and actions, avoiding subjective commentary;

c) Adjustments to the minutes necessitate a Board majority approval;

d) Subsequent Board meetings shall formally approve prior meeting minutes; and

e) Approved minutes shall bear the signature of the Board Chair and the Secretary, validating their accuracy and completion.

32. **Bylaws:**

a) Proposed bylaws and amendments **–** 1st and 2nd readings**:**

   I. Proposed bylaws will come before the Board in draft form at the regular meeting occurring immediately before the regular meeting during which the first and second readings are to occur. All stakeholders will be informed of any bylaw changes;

II. A resolution that leave be granted to introduce any bylaw and that such bylaw be read a first and second time shall be read by a Member, other than the Chair, then by the Chair and voted upon;

III. The resolution would read as follows:

"That leave be granted to introduce Bylaw number (year - Bylaw number) and the same be hereby deemed to have been read a first and second time"

Moved by _____ Seconded by _____

IV. Any Member wishing to vote against any one or more of the proposed bylaws may do so;

V. When there is more than one bylaw being voted on and the Chair calls for a vote on the resolution and a Member has voted against one or more of the proposed bylaws, the Chair shall ask the Member to state which bylaw(s) the member is voting in favour of and which bylaws the Member is voting against;

VI. The Chair will then ask the Secretary to record the vote on each proposed bylaw; and

VII. This procedure shall apply mutatis mutandis to all proposed bylaw amendments.

b) Proposed bylaws and amendments – 3rd reading:

I. All proposed bylaws and amendments thereto, passed by the Board on first and second reading, shall be given a third and final reading at a regular meeting of the Board before such bylaws or amendments thereto shall be finally passed;

II. The resolution to be read by a Member, other than the Chair, and then by the Chair would read as follows:

"That Bylaw (year - Bylaw number) be hereby deemed to have been read a third time and be finally passed, signed and sealed";

III. Any Member wishing to vote against any one or more of the proposed bylaws may do so;

IV. When there is more than one bylaw being voted on and the Chair calls for a vote on the resolution and a Member has voted against one or more of the proposed bylaws, the Chair shall ask the Member to state which bylaw(s) the Member is voting in favour of and which bylaw(s) the Member is voting against;

V. The Chair will then ask the Secretary to record the vote on each proposed bylaw; and

VI. This procedure shall apply after all necessary changes having been made to all proposed bylaw amendments.

33. **Board Members – Statements:**

a) Board Members will fully uphold the *Ontario Regulation 408/23 - Code of Conduct For Police Service Board Members:*

I. Section 11 - a Member of the Board shall not knowingly make false statements pertaining to the duties of a Member of a Board;

II. Section 12 - a Member of the Board shall not purport to speak on behalf of the Board unless authorized by the Board to do so;

III. Section 13 - a Member of the Board shall clearly indicate when they are expressing a personal opinion when commenting on an action or omission of the Board, the Police Service maintained by the Board or a Member of the Police Service;

IV. Section 14 - a Member of the Board shall not access, collect, use, alter, retain, destroy or disclose to any person information that has been obtained by or made available to the Member in the course of their duties if doing so would be contrary to law;

V. Section 15 - a Member of the Board shall not disclose to the public information obtained or made available in the course of the Member's duties except as authorized by the Police Service Board or as required by law.

b) Board Members will keep confidential any information disclosed or discussed at a meeting of the Board, or part of a meeting of the Board, that was closed to the public;

c) A Board Member who expresses disagreement with a decision of the Board shall make it clear that they are expressing a personal opinion;

d) The Chair will be considered the Board's spokesperson for all media inquiries. When the Chair is unavailable, the Vice-Chair will be considered the Board's spokesperson for all media inquiries;

e) In special circumstances, such as during contract negotiations or where a Board subcommittee has been established on a specific issue, the Board may designate the Member leading the negotiations, or the Chair of the sub-committee, as the case may be, to act as spokesperson for the Board on the subject in question;

f) Board Members may communicate a position of the Board. However, should a Board Member publicly disagree with a position of the Board, or wish to comment on a matter not yet before the Board, the Board Member will clearly identify that they are speaking as an individual and not on the Board's behalf. A Board Member will not state that the Board has taken a position on a matter until the matter has been formally considered by the Board;

g) When a media inquiry is made directly to Board Members regarding sensitive or confidential matters, Board Members will not comment but will advise the Chair or if applicable to the Chief of Police so that it may be directed to the most appropriate person;

h) When a media inquiry is made by a member of the media with respect to factual information, administration of the Board, or decisions made by the Board during a public meeting, a designated Board Member may provide information to the member of the media; and

i) Media releases will be approved prior to release by the Chair, or in the Chair's absence, by the Vice-Chair. Board Members will receive a copy of the release, as soon as possible once it has been approved.

34. **Conduct Complaints:**

a) The Chair, or any Member of the Board, will be required to bring forward all complaints about the conduct of the Chair or any other Member of the Board to the entire Board, at a Board meeting, for review;

b) All complaints will be received in writing with the complainant's name and return address identified;

c) The Chair (or the Vice-Chair in the Chair's absence or if the Chair is the subject of the complaint) will make a recommendation as to how the Board should review the complaint;

d) In reviewing the complaint, the Board will consider the following options:

   I. The complaint is of a minor nature and the affected Board Member should be asked to provide a written response to the complaint;

   II. The complaint is of such a significant nature that external Legal Counsel should be retained; or

   III. Any complaints regarding the conduct of the Board or a Board Member may be forwarded to the Inspector General pursuant to sections 106 or 107 of the *CSPA*.

e) The affected Board Member will be permitted to provide a written response to the Board regarding the allegations contained in the complaint.

35. **Board Property:**

a) Upon completion of a Board Member's term, the Board Member will return any Board or Service property that may be in their possession within 30 days; and

b) Each Board Member who is issued a Police Service identification will be required to sign for their identification and will return both upon the termination or expiry of their appointment to the Board within 30 days.

36. **Board Training:**

A Member of the Board or of a Committee of the Board shall successfully complete the following training:

a) The training approved by the Minister with respect to the role of a Police Service Board and the responsibilities of Members of a Board or Committee;

b) The training approved by the Minister with respect to human rights and systemic racism;

c) The training approved by the Minister that promotes recognition of and respect for:

   I. The diverse, multiracial and multicultural character of Ontario society, and

   II. The rights and cultures of First Nation, Inuit and Métis Peoples.

d) Any other training prescribed by the Minister;

e) Any other training determined by the Board;

f) A Member of the Board or Committee shall not exercise the powers or perform the duties of a Board or Committee Member until the Member has successfully completed the training prescribed;

g) Pursuant to section 44 – *Ontario Regulation 87/24 - Training* - a Member of the Board or Committee shall not continue to exercise the powers or perform the duties of their position after the period prescribed by the Minister following their appointment until the Member has successfully completed the training prescribed; and

h) Pursuant to section 44 – *Ontario Regulation 87/24 - Training* - made by the Minister may provide that a Member of a Police Service Board or Committee shall not exercise specified powers or perform specified duties or shall not continue to exercise specified powers or perform specified duties, until the Member has completed specified training prescribed training within the timeline set out in the regulations.

37. **Budgets:**

a) The Chief shall prepare the annual operating estimates and the annual capital estimates for submission to the Board, that show the amounts required to maintain the Police Service and provide it with equipment and facilities in order to provide adequate and effective policing, in such format and at such time as determined by Council and the Board;

b) The Chair shall prepare the annual operating estimates for submission to the Board that show the amounts required to pay the expenses of the operation of the Board, in such format and at such time as determined by Council and the Board;

c) As part of the preparation and submission of the annual capital estimates, the Chief shall prepare and submit the Capital Projects intended to be undertaken for that year or other multi-year period as requested by the Board or Council;

d) Each Capital Project and its funding must be individually approved by the Board as part of the Capital budget;

e) After adopting the operating and capital estimates, the Board shall submit the estimates to Council in accordance with the requirements of Section 50(2) *CSPA* or a similar provision under its successor legislation;

f) The operating Budget adopted by Council and the Board establishes the spending authority for the Police Service and the Board;

g) The Chief shall operate within the approved Budget and ensure that the Police Service's Net Expenditure does do not exceed the approved Budget;

h) The Chief shall report any anticipated over-expenditure to the Board, as soon as such potential over-expenditure is known, but not less than quarterly, and, where possible, shall advise on how best to address the over-expenditure;

i) Any expenditure that would result in the net operating Budget being exceeded requires the Board's approval prior to incurring such expenditure; and

j) The obligations of the Chief of Police identified in this section also apply to the Chair in respect to the Budget required to pay the expenses of the operation of the Board.

k) **Capital Budget Spending Authority**:

I. The Capital Budget adopted by Council and the Board establishes the spending authority for the Capital Expenditures in the Budget year. The Chief shall ensure that the Police Service's Net Expenditures do not exceed the approved Budget;

II. The Chief shall report any anticipated over-expenditure to the Board, as soon as such potential over-expenditure is known;

III. No expenditure shall be made for a Capital Project in excess of the funding approved for such project in the Capital Budget without the approval of the Board;

IV. The Board must approve any reallocation of funds between Capital Projects for which funds have been allocated within the Capital Budget and advise the Municipality of such reallocation;

V. The Board and the Municipality must approve any reallocation of funds between Capital Projects within the Capital Budget for which funds have not yet been allocated;

VI. In preparing the annual Capital estimates, the Chief of Police shall include a cash flow forecast which indicates the entire Capital expenditure for each Capital Project, including those Capital Projects approved in previous years;

VII. Any Capital Project approved in a previous year for which a cash flow forecast is not included in subsequent Capital estimates shall be considered to be completed and may be closed by the Municipality after consultation with the Chief; and

VIII. The Municipality shall close any Capital Project that is considered to be complete and shall report on such closure to the Board for subsequent submission by the Board to the Municipality.

38. **General:**

a) The procedures for the investigation of complaints concerning the policies of the Owen Sound Police Service Board shall be in accordance with the *CSPA* and its *Regulations*;

b) The procedures for the investigation of complaints against Members of this Police Service shall be in accordance with the provisions of the *CSPA* and its *Regulations*; and

c) It is the policy of this Board that City Councillors/Mayor who are appointed by the Board, cannot seek, or accept the endorsement of the Association.

John Thomson
Chair

March 18th, 2026
Date

K.Wardell
Board Secretary

March 18th, 2026
Date

Appendix "A"

Ontario Regulation 408/23 - Code of Conduct for Police Service Board Members

a) A Member of the Board shall not conduct themselves in a manner that undermines or is likely to undermine the public's trust in the Board or the Police Service maintained by the Board.

   A Member the Board shall not be subject to discipline for a contravention of this section if, on a balance of probabilities, their conduct was in the good faith performance of their duties as a Board Member;

b) A Member of the Board shall comply with the *Community Safety and Policing Act (CSPA) and the Regulations* made under it;

c) A Member of the Board shall not, by act or omission, conduct themselves in a manner that is likely to cause the Board to fail to comply with the *CSPA* or the *Regulations* made under it;

d) A Member of the Board shall comply with any rules, procedures and bylaws of the Board;

e) A Member of the Board shall not substantially interfere with the conduct of Board meetings;

f) A Member of the Board 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*) that was committed after they were appointed as a Member of the Board;

g) A Member of the Board shall not, in the course of their duties, treat any person in a manner that the Member, at the time, knows or reasonably ought to know would contravene the *Human Rights Code*. A Member of the Board shall not be subject to discipline for a contravention this section, on a balance of probabilities, the Member's conduct was in the good faith performance of their duties; and

h) A Member of the Board shall conduct themselves in a professional and respectful manner in the course of their duties including, without limitation, not using abusive or insulting language in the course of their duties. A Member of the Board shall not be subject to discipline for a contravention of this section if, on a balance of probabilities, the Member's conduct was in the good faith performance of their duties.

Statements and Attendance:

a) A Member of the Board shall not knowingly make false statements pertaining to the duties of a Member of this Board;

b) A Member of a Board shall not purport to speak on behalf of the Police Service Board unless authorized by the Board to do so;

c) A Member of the Board shall clearly indicate when they are expressing a personal opinion when commenting on an action or omission of this Board, the Police Service maintained by the Board or a Member of the Police Service;

d) A Member of the Board shall not access, collect, use, alter, retain, destroy or disclose to any person information that has been obtained by or made available to the Member in the course of their duties if doing so would be contrary to law;

e) A Member of the Board shall not disclose to the public information obtained or made available in the course of the Member's duties except as authorized by the Police Service Board or as required by law.

   This section 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 Member's disclosure; and

f) A Member of the Board shall attend all Board meetings unless able to provide a reasonable explanation for the absence.

Misconduct and Conflicts of Interest:

a) A Member of the Board shall disclose any conduct of another Member of Board that the Member reasonably believes constitutes misconduct:

   I. To the Chair of the Board; or

   II. If the misconduct involves the Chair, to the Inspector General.

b) A Member of this Board shall disclose any charges laid against them under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada) and any finding of guilt made in relation to those charges.

This section only applies to charges or findings that were made after the Member's appointment to the Board. The disclosure required by this section must be made to the person or body that appointed the individual as a Member of the Board or, in the case of a Member appointed by the Lieutenant Governor in Council, to the Minister;

c) A Member of the Board shall not apply for employment with the Police Service maintained by the Board unless they resign from the Board before applying;

d) A Member of the Board shall promptly disclose any conflict of interest:

   I. To the Chair of this Board; or

   II. If the conflict of interest involves the Chair, to the Inspector General.

   After making the disclosure required by this section, the Member shall disclose the conflict at the next meeting of this Board.

e) A Member of a Board shall not use their position as a Board Member to:

   I. Benefit themselves;

   II. Benefit one or more persons with whom they have a personal relationship; or

   III. Interfere with the administration of justice.

f) A Member of this Board shall not participate in discussion of or voting with respect to matters at Board meetings if the Member has a conflict of interest in the matter.

Reporting

Any complaints regarding the conduct of the Board or a Board Member may be forwarded to the Inspector General pursuant to sections 106 or 107 of the *Community Safety and Policing Act*.

Appendix B

OWEN SOUND POLICE SERVICE BOARD - INFORMATION
RE: DEPUTATIONS

The following information is compiled to assist person(s) with their Deputation before the Board.

Location
2nd Floor Public Meeting Room, Owen Sound Police Service
922 2nd Ave. West

***Report to the main desk at the Police Service to announce your arrival.**

Call to the Podium

At the appropriate time, the Chair will invite the person(s) to address the Board.

How to address the Board?

When addressing comments to the Board, it is proper to make your comments through the Chair instead of directly to the Board Members. When addressing the Chair, it is quite proper to identify the Chair as Mr./Mrs. Chair.

When addressing comments to a Board Member, it is proper to make your comments through the Chair instead of directly to the Board Member. You should say “Through you Mr./Mrs. Chair to Member _____.

Time Limit on Deputations?

Police Services procedural bylaw indicates deputations have a 10-minute time limit followed by question from the Board.

Should person(s) identify themselves?

Yes, it is important for the purposes of record keeping. It is important that it is indicated to the Chair and Board Members the name of the person speaking and if they are representing an organization, the name of the organization.

What should the person(s) do when finish their deputation?

When the Board has heard your deputation and questions asked have been dealt with you are free to leave the building.

Does the person(s) need to provide any written information?

It is appropriate and desirable to have written information provided to the Board one week prior to your deputation for inclusion into the Board Agenda package. This gives the Board an opportunity to prepare any questions they may have regarding the deputation

Request for Deputation

- **First name:**
- **Last name:**
- **Company/Group being represented:**
- **Address:**
- **Postal code:**
- **E-mail address:**
- **Telephone:**
- **Please select the meeting type you would like to make a deputation at:**
- **Requested Committee meeting date:**
- **Subject/Description of the deputation:**
    I. **Will you be asking for support?**
    II. **Will you have PowerPoint presentation or other documentation?**
- **Date**