



Taber

Municipal Police Commission

Policy Manual

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## **Section 1: Framework**

**1.1 Intent**  
(Alberta Policing Oversight Standard OM – 1.1)

This policy manual includes policies designed to assist the Commission in:

- (1) conducting its own business as effectively, efficiently, and transparently as possible; and
- (2) providing direction to the Chief of Police.

While the [Police Act](#) outlines the legal obligations of the Commission, as a “local government body”, the Commission may be subject to a variety of other pieces of legislation/regulations depending on the nature of police service agreement. A limited alphabetical list includes:

- (1) *Alberta Employment Standards Code*
- (2) *Alberta Labour Relations Code*
- (3) *Alberta Municipal Government Act*
- (4) *Alberta Peace Officer (Ministerial) Regulation*
- (5) *Alberta Peace Officer Act,*
- (6) *Alberta Peace Officer Regulation*
- (7) *Alberta Police Officers Collective Bargaining Act*
- (8) *Alberta Police Service Regulation*
- (9) *Canadian Charter of Rights and Freedoms*
- (10) *Criminal Code of Canada*
- (11) *Freedom of Information and Protection of Privacy Act*
- (12) *Freedom of Information and Protection of Privacy Regulations*
- (13) *Municipal Bylaw*
- (14) *Provincial Policing Standards and Evaluations*
- (15) *Public Inquiry Act*

Please forward any suggested amendments to the:

Chair, Taber Municipal Police Commission

For questions regarding the application of this information to the development of policies and procedures for your Commission, please contact:

Chair, Taber Municipal Police Commission

## 1.2 Police Commission Legislative Obligations

The Police Commission is an independent organization established by Council pursuant to **Section 28(1)** of the [Police Act](#).

Council, in the *Police Commission Bylaw (2-2015)*, has

- (1) prescribed the rules governing the operations of the Commission; and
- (2) allowed for the appointment of members to the Commission.

## 1.3 Mission Statement

To work in partnership with the citizens to ensure transparent, effective, and responsive policing throughout the municipality.

## 1.4 Vision Statement

To be a leader for municipal stakeholders in the civilian oversight of policing.

## 1.5 Values

- (1) **Respect:** We respect our people and the community we serve.
- (2) **Accountability:** We are accountable to each other and those we serve.
- (3) **Honesty:** We are forthright, direct and honest with our community and ourselves.
- (4) **Integrity:** We conduct ourselves in an ethical manner; maintaining confidentiality, trust and objectivity.

## **Section 2: Policies for the Commission**

Policies, adopted by the Commission, to govern its members, relationships, staff and activities, and guidelines used by members and staff of the Police Commission in carrying out the Commission's responsibilities and obligations under the [Police Act](#), the *Freedom of Information and Protection of Privacy Act* and *Police Commission Bylaw 2-2015*.

## 2.1 Selection and Appointment of Commission Members

In the selection and appointment of Commission members, the Council adheres to **Section 28(1-13) and 28.1(1-2)** of the *Police Act*. Applicable portions of information are also taken directly from the *Police Commission Bylaws 2-2015*. (Alberta Policing Oversight Standards – RR1.1 – 1.3)

- (1) The Police Commission will have seven members, two of which are Council members.
- (2) All those appointed to the Commission shall take the oath set out in **Schedule 1** of the *Police Act*. The recruiting of Commission members will be undertaken by the Town Council. The Chief Administration Officer will be made aware of any vacancies in order to commence the process of advertising for applicants. The Town of Taber has adopted the Taber Municipal Police Commission Policy manual as the process for appointing members to the Police Commission. (see Appendix ‘A’)
- (3) All efforts will be made to select those community members who are of exemplary character and would be considered beyond reproach. Efforts will be made to recognize community diversity and take into account special skills or abilities that may enhance the overall function of the Commission and its work. (Alberta Policing Oversight Standard – RR 2.1)
- (4) The Town of Taber will accept an application for the vacancy. Applicants will be provided with an information package containing sections 28 and 28.1 of the Police Act as well as a copy of 1.1 – 1.5 of the Commission Policy Manual, by the Secretary. (Alberta Policing Oversight Standard – RR 2.2)
- (5) An updated list of Commission members shall be provided to the Solicitor General when any changes are made. The Town of Taber will maintain a record of each name, contact information, position and appointment date to determine length of service. (Alberta Policing Oversight Standard – RR 3.2)
- (6) The approved applicants as well as the serving Council members appointed will be subject to a police information check prior to appointment to the Commission. The police information check should reveal no adverse information at the discretion of the Council. The member appointed as the Public Complaints Director shall receive an enhanced clearance level, which includes a verification of personal declarations relating to family, character, personal history and financial history. (Alberta Policing Oversight Standard RR 2.3)
- (7) Members may be appointed for a term of three years and cannot serve longer than 10 consecutive years on the Commission. Staggered appointment by Council is desired for succession planning. Members upon appointment will receive orientation training from the Solicitor General as soon as it is available. Members will receive: *The Police Act*, *Police Service Regulations* and the Taber Municipal Police Commission Policy Manual containing the code of ethics to be followed, and sign an acknowledgement that they understand the code of ethics.
- (8) Any member of the Commission, Council appointed or public appointed shall be disqualified from their position if the member is:
  - (a) hired in any capacity with the police service, the RCMP, or other position that could be considered to be in conflict with the oversight Commission membership;
  - (b) no longer residing within the municipality limits; or
  - (c) convicted of any offence under the *Criminal Code of Canada*

- (d) involved in or engages in behaviors or practices that in the opinion of the Council are in conflict with the stated vision, mission or stated values of the Commission, and according to this policy is deemed cause for dismissal.
  - (e) Any member of Commission that has been charged with a criminal offence will be suspended from the Commission until the matters are resolved before the courts.
- (9) A former member is eligible for reappointment.
- (10) When a vacancy occurs, Council shall appoint a successor to begin either a new two or three year term.
- (11) Membership can be revoked by Council for just cause as per **Section 28(12)** of the [Police Act](#).
- (12) The Commission will appoint a public complaint director (PCD) as per **Section 28.1(1-2)** of the [Police Act](#). (**Alberta Policing Oversight Standard – RR 3.1.3.g**)
- (13) Council shall appoint the CAO or their designate, as per the Bylaw to assist the Commission as administrative support who shall:
- (a) attend all meetings and keep a complete record of the minutes of the meetings;
  - (b) maintain all records, correspondence, orders and decisions of the Commission;
  - (c) carry out such other functions of the Commission as may be delegated; and
  - (d) not vote.

## 2.2 Commission Responsibilities

- (1) As per **Sections 28.1(1,3), 29(1), 31, 32, 36(1,2), 43, 43.1** and **44** of the [Police Act](#), the Police Commission oversees the police service including the following:
- (a) allocating the funds that are provided by Council; (**Alberta Policing Oversight Standard – RR 3.1.3.b**)
  - (b) establishing policies providing for efficient and effective policing; (**Alberta Policing Oversight RR 3.1.3.c**)
  - (c) issuing instructions, as necessary, to the Chief of Police in respect of the policies referred to in (1)(b); (**Alberta Policing Oversight RR 3.1.3.d**)
  - (d) ensuring that the police service employs sufficient persons for the purposes of carrying out the functions of the police service; (**Alberta Policing Oversight RR 3.1.3.e**)
  - (e) in consultation with police service management, establishing the priorities in policing and participating in strategic planning for police service; (**Alberta Policing Oversight Standard - RR 3.1.3.a**)
  - (f) appointing the Chief of Police, subject to ratification by municipal council; (**Alberta Policing Oversight RR 3.1.3.f**)

- (g) receiving complaints regarding police service, police officers and policies from the public working with the police service toward resolution;
- (h) reviewing complaints against the Chief of Police;
- (i) considering appeals of the chief's decision in complaints against the police service or police service policy;
- (j) conducting inquiries into matters respecting the police services, the actions of any police officer or any other person employed by the police service; and
- (k) Providing input and approving the annual public report. (**Alberta Policing Oversight Standard OMI.1.10**)

**Note:** as per **Section 31(7)** of the [Police Act](#), municipal council is liable for any legal liability incurred by the Police Commission.

### **2.3 Policy Review**

Policies and procedures of the Taber Municipal Police Commission shall be reviewed annually. Modifications must receive Commission approval.

### **2.4 Commission Member Conduct**

- (1) Members of the Commission must perform their official duties and functions and arrange their private affairs in such a manner that public confidence and trust in the integrity, objectivity, and impartiality of the Commission are maintained and enhanced. All members will abide by their oath of office.
- (2) Commission member actions will respect the dignity of individuals in accordance with the:
  - (a) *Alberta Human Rights, Citizenship and Multiculturalism Act*;
  - (b) *Canadian Charter of Rights and Freedoms*; and
  - (c) *Freedom of Information and Protection of Privacy Act*.
- (3) Commission members will not share information deemed sensitive or confidential. Such information will not be used for personal gain, or to benefit friends, relatives or associates. Breaches may be cause for dismissal from the commission.
- (4) Commission members will abide by the following Town of Taber policies and codes of conduct:
  - (a) Town of Taber Harassment in the Work Place Policy
  - (b) Social Media Internal Organizational Usage Policy
  - (c) Social Media Public Engagement Terms of Use Policy
  - (d) Personal Communications Policy
  - (e) Informational Technology Policy, and

- (f) Taber Municipal Police Commission Code of Conduct and Ethics. (found in Appendix “C”).
- (5) Commission members are required to attend all scheduled meetings of the Commission and all committee meetings on which they are serving. Absences should be reported to the Chair prior to meetings. Non-attendance of 3 consecutive meetings shall be cause for dismissal from the Commission, unless such absence is authorized by resolution of the Commission and recorded in its minutes.
- (6) The Commission will use the municipality’s purchasing policy to purchase goods and services.
- (7) Commission members will follow the municipality policies regarding the acceptance of personal and corporate gifts.
- (8) Inappropriate conduct may result in dismissal from the Commission.

## **2.5 Conflict of Interest**

Conflict of interest refers to a conflict between a member’s personal and/or business interests and the member’s responsibility as a Commission member. This conflict may exist whether or not there is financial gain.

- (1) Commissioners, personally or in relation to their colleagues, must declare all potential or perceived conflicts of interest. The Commission member who declares a conflict will exclude themselves from discussion and voting on the matter.
- (2) All conflicts and actions taken regarding the conflict must be entered into the minutes.
- (3) Conflicts brought to the attention of the chair must be resolved in a manner that conserves and enhances public confidence and trust in the integrity, objectivity and impartiality of the Commission.
- (4) Undisclosed conflict of interest may result in dismissal from the Commission as per the final decision of Council.

## **2.6 Remuneration**

- (1) Expenses will be reimbursed using the municipal travel and subsistence policy.
- (2) Money for expenses will be obtained from the Police Commission annual budget as granted by Council following the municipal budgetary cycle.
- (3) In keeping with Section 28(5) of the [\*Police Act\*](#), the following gratuity is allowable to the publicly appointed members of the Taber Municipal Police Commission:
  - (a) For attendance at regularly scheduled meeting of the Commission: \$100.00 each meeting.
  - (b) For Commission business outside of the regularly scheduled meeting: \$100.00 for morning and \$100.00 for afternoon commencing after 1pm or any portion thereof.
  - (c) There is no remuneration for attendance at the Alberta Association of Police Governance Annual General meeting or for Commission training.

## 2.7 Orientation of New Members

- (1) New Commissioners should participate in an orientation session regarding their roles and responsibilities. This orientation shall take place as soon as practicable upon appointment. New members will be encouraged to attend the Alberta Solicitor General and Public Security Orientation, or on-line training as available. (Alberta Policing Oversight Standard – PA 1.1.a)
- (2) New Commissioners will be given copies of:
  - (a) *Police Act*;
  - (b) *Police Service Regulations*
  - (c) *Police Commission Bylaw [2-2015](#)*;
  - (d) *Taber Municipal Police Commission Policy and Procedures Manual*; and (Alberta Policing Oversight Standard RR 2.4)
  - (e) *Freedom of Information and Protection of Privacy Act*.
- (3) Commissioners will receive an overview from the chair or designate regarding:
  - (a) Commission budget;
  - (b) communication strategies and policies (with members, Commission staff, external services, media public, police service, etc.);
  - (c) current goals of the Commission;
  - (d) event schedules and expected attendance;
  - (e) meeting procedures and schedules;
  - (f) mission and vision of the Commission;
  - (g) organizational structure of Council;
  - (h) organizational structure of the police service;
  - (i) past annual reports (Commission and police service);
  - (j) police service business plan;
  - (k) policy regarding personal and corporate gifts;
  - (l) roles and responsibilities of Commission staff;
  - (m) structure and function of committees;
  - (n) time commitments;
  - (o) travel and subsistence policy; and
  - (p) Policing Oversight Standards (Alberta Policing Oversight Standard PA 1.1.e)

- (4) Commission members should participate in ongoing developmental opportunities as time permits including but not limited to;
  - (a) attendance at conferences;
  - (b) introduction to community societies and non-profits;
  - (c) meeting Council;
  - (d) mentoring (including for succession planning);
  - (e) police service tour;
  - (f) policing standards review;
  - (g) ride along;
  - (h) overview of victims of crime services; and
  - (i) training provided by Alberta Solicitor General and Public Security or other provincial partners.

## **2.8 Roles and Responsibilities of Chair and Vice-Chair**

- (1) The Chair ([Police Act Section 28\(10\)](#)) as elected by the membership at the commencement of each year, presides over Commission meetings. Should the chair not be present, or vacate the position either temporarily or permanently, the vice-chair ([Police Act Section 28\(10\)](#)) will act in the Chair's place.
- (2) Neither a member of Council nor an employee of the municipality may be Chair or Vice-Chair. ([Police Act Section 28\(11\)](#))
- (3) Should neither the Chair nor Vice-Chair be available, the Commission shall elect an Acting Chair for the meeting until such time the Chair or Vice-Chair is available.
- (4) The Chair is to be advised of a policy, bylaw or [Police Act](#) legislative breach/potential breach by a Commission member or Chief of Police. Breaches by the Chair should be referred to the Vice-Chair.
- (5) The Chair/Vice-Chair as the case may be may engage an outside agency as required to investigate allegations of a breach. The Commission will review findings and recommend (or not) the revocation of the member's appointment to Council.
- (6) The Chair will designate a member, in the absence of the Council appointed employee of the Commission, to record during all meetings, hearings or inquiries.
- (7) The Chair is the signing authority for all contracts representing the business of the Commission.
- (8) The Chair and Vice-Chair are responsible for coordinating the selection, hiring, evaluation and paying of employees of the Commission via the funds allocated by the municipality.

**2.9 Role of Public Complaints Director (PCD)**  
(Alberta Policing Oversight Standard – PA 2.1)

- (1) The PCD is a position designated by the Commission at an organizational meeting or as required.
- (2) The PCD receives complaints from the public on behalf of the Commission. The PCD is delegated the authority by the [Police Act](#) to receive complaints, liaise with the chief and perform other duties as on behalf of the Commission as per **Section 28.1(3 (a - g))** of the [Police Act](#). The Police Service and the PCD shall make available to all complainants information pamphlets (See App 'B'). The PCD will offer alternate dispute resolution and notify the Chief of Police that this has been done. (Alberta Policing Oversight Standards – PA 2.2 & 2.3)
- (3) Complaints are recorded in writing by the PCD and forwarded on behalf of the complainant to the police chief who decides if the complaint should be managed by the police service or the Commission as per **Section 43(1)(2)** of the [Police Act](#). Complaints will be tracked on IAPRO and provided quarterly to the Solicitor General.
- (4) The PCD monitors the complaints process of the police service as per **Section 24** of the [Police Service Regulation](#) including reviewing documents or attending disciplinary proceedings arising from public complaints.
- (5) The PCD reports monthly to the Commission.
- (6) The PCD attends meetings as coordinated by the provincial PCD as a representative of Alberta Solicitor General and Public Security. (Alberta Policing Oversight Standard – PA 2.2)
- (7) The PCD will ensure that all public complaints are recorded in IAPRO. The retention schedule will be in accordance with applicable privacy legislation and in any event synchronized with the assigned retention schedule within IAPRO.

**2.10 Commission Personnel**

- (1) The Commission may hire staff.
- (2) Employees will be given official job descriptions and are subject to all applicable Federal and Provincial Legislation including, but not limited to:
  - (a) *Alberta Employment Standards Code*; and
  - (b) *Alberta Labour Relations Code*.
- (3) Commission staff does not have the right to vote on Commission decisions.
- (4) Employees will be evaluated on yearly basis by the Commission.

**2.11 Formation of Committees**

- (1) The function of a committee is to assist the Commission in completing its responsibilities.
- (2) The Commission may form either standing or ad hoc committees to examine and report on issues that fall under the authority and responsibility of the Commission.
- (3) The Commission sets the terms for the committee, appoints its chair and participating members. Any Commission member may attend a committee meeting.

- (4) The Commission may appoint subject matter experts from the public or Commission staff to assist in committee business.
- (5) The committee must provide copies of its agenda and minutes of its meetings for storage by the Commission.
- (6) The committee provides options to the Commission.
- (7) The committee may not speak or act for the Commission unless it has formally been given authority and then only for a specific or time-limited purpose.
- (8) The committee shall report regularly to the Commission, the schedule to be determined by the Commission.

## **2.12 Legal and Professional Services**

- (1) Legal and other professional service contracts must be approved in advance by the Commission and are only provided at the request of the commission.
- (2) Fees are paid by the Commission.

## **2.13 Meetings**

- (1) At the annual organizational meeting as specified in the Taber Municipal Police Commission Bylaw, the chair shall schedule all meetings occurring in that year. The yearly schedule is made public. The meetings generally take place the 3rd Wednesday of each month, excepting July, August and December or at the discretion of the Chair. Unless notified one (1) week in advance, all meetings begin at 4:30 PM, in Council Chambers. The Commission may choose to hold meetings at differing places within the community. Meeting schedules will be posted to the Town of Taber website and advertised in the Taber Times ([Alberta Policing Oversight Standard OM 2.3](#))
- (2) A majority of commissioners shall form a quorum. Each member has one vote. The Chief of Police, staff and other attendees have an advisory capacity only and therefore no voting privileges.
- (3) Meetings shall be open to the public. However, in-camera sessions may be held respecting *Freedom of Information and Protection of Privacy* items (FOIP).
- (4) The conduct of all participants will be respectful, using appropriate language and following the rules as outlined by the chair. Attendees displaying poor conduct may be asked by the chair to leave.
  - (a) Cell phones and all other electronic devices are to be turned off during Taber Municipal Police Commission meetings, unless approved on a case by case basis prior to each meeting. Approval requests must be addressed by the chair prior to the meeting commencement and must be debated as the first item on the agenda. Failure to comply will result in exclusion from the meeting.
- (5) The agenda for each meeting is set by the chair in consultation with Commission staff, the police chief, and Commission members and is to be finalized 5 working days before the meeting. In-camera items are to be clearly marked.

- (6) The agenda is distributed to all Commission members and staff, the Chief of Police, and the public, five (5) working days before the meeting. In general, no items will be added to the agenda after this notification. All support material (reports, briefs, letters, last session minutes, etc.) needs to be included. **It is expected that members review all material prior to the meeting and be prepared to discuss in detail at that time.**
- (7) Members of the public (delegation) who wish to address the Commission must request permission from the chair seven (7) working days prior to the meeting. The delegation must detail the names of those attending and the subject to be discussed. Presentations are limited to 10 minutes unless otherwise indicated by the chair. **Complaints about officer conduct are not topics for this forum.**
- (8) During the meeting, the Chair may choose to assist requests from the audience to address the Commission regarding items on the agenda. **Complaints about officer conduct are not topics for this forum.**
- (9) The general order of business for Commission meetings as coordinated by the chair is as follows:
  - (a) Call to Order
  - (b) Adoption of the Agenda
  - (c) Adoption of the Minutes
  - (d) Delegations
  - (e) Business Arising from Minutes
  - (f) Action Items
  - (g) Media Inquiries
  - (h) Closed Session
  - (i) Open Session
  - (j) Close of Meeting
- (10) Minutes of meetings are an honest expression of a summary of what was discussed and decided. Unbiased, accurate minutes will include:
  - (a) time the meeting was called to order;
  - (b) names of attendees and non-attendees (and if only attending part of the meeting);
  - (c) name of person who motioned all decisions made during the meeting;
  - (d) concise summaries of discussions and presentations;
  - (e) items that have been held over to another meeting (for tracking) with deadlines; and
  - (f) the time the meeting adjourned.

- (11) Notes kept to prepare the official minutes of the Commission are considered transitory records and are destroyed upon approval of the minutes.
- (12) All records of the Commission are stored and archived as per the policies and procedures of the municipality. All minutes will be posted by the Secretary to the Town of Taber website. A meeting package exclusive of closed session materials will be provided to the media. (Alberta Policing Oversight Standards OM 4.1, 4.2, 4.3)
- (13) The Commission, as a public body must comply with *Freedom of Information and Protection of Privacy* (FOIP) Legislation. The FOIP coordinator for the Commission has been designated in Bylaw 12-99, and further designated by motion, as the Chair. The FOIPP coordinator is responsible for ensuring that personal information is managed in accordance with FOIP legislation including the destruction of information following meetings or terms of members. Requests for information involving the Commission should be directed to the FOIP coordinator for the Commission subject to their fees and policies. (Alberta Policing Oversight Standard OM 4.4)

#### 2.14 Communication

- (1) The Chair of the Taber Municipal Police Commission is the official spokesperson for the Commission and represents the Commission in all matters before municipal, provincial and federal government. Municipal Council inquiries about the police service may be addressed to those Councillors who sit on the Commission, they can provide information to the Council or arrange for information sessions deemed necessary.
- (2) All correspondence addressed to the chair that is not a public complaint under the [Police Act](#), is processed by the chair.
- (3) All correspondence sent or received directly by the Chair or Commission members are forwarded to the Commission for response and filing.
- (4) Formal communication between the police service and the Commission is conducted through the Chair and the office of the chief.
- (5) The Chair is the media spokesperson for the Commission, however, media releases shall receive approval of the Commission body such approval to be obtained by most expedient means. (Alberta Policing Oversight Standard OM 5.1)

#### 2.15 Commission Business Plan

(Alberta Policing Oversight Standard OM 2)

This section refers only to that portion of the Business Plan *specific to* the Commission. Please refer to **Section 3.4 Financial** of this document for equivalent with regard to the police service.

- (1) The Commission, in consultation with the Chief of Police, from time to time may include in the priorities, goals and objectives a section particular to the Commission. There will only be one Business Plan on a multi-year cycle to guide both the Police Service and the Police Commission such a plan to include:

- (a) priorities, goals and objectives;
  - (b) implementation strategies;
  - (c) benchmarks for success; and
  - (d) a budget.
- (2) The plan will be submitted to Council for amendments, ratification, and provision of funds.
- (3) Changes to the budget need approval from the Commission and Council.
- (4) An annual letter signed by the Chair will confirm or amend the business plan at the discretion of the Commission. **(Alberta Policing Oversight Standard OM 2.1)**
- (5) The financial records of the Commission may be audited at any time by auditors appointed by the municipality.
- (6) The Commission will oversee the preparation of an annual report for submission to Council and made available to the public. The annual report will suffice for both the Police Service and the Police Commission. At a minimum the report will contain: **(Alberta Policing Oversight Standard OM 2.4)**
- (a) introduction;
  - (b) overview;
  - (c) composition of the Commission;
  - (d) committee summaries (as they exist);
  - (e) statistical information regarding meetings and activities (such as: attendance, activities, training and development, membership, conference attendance etc.);
  - (f) initiatives;
  - (g) self-evaluation;
  - (h) public complaint summary; and
  - (i) concluding comments.

## **2.16 Complaints**

- (1) In general there are 4 types of complaints that the [\*Police Act\*](#) identifies (**Section 43, 44, 45, 46, and 46.1**). They include complaints concerning:
- (a) a police officer;
  - (b) the Chief of Police;
  - (c) policies and services of a police service;
  - (d) serious incidents (including sensitive issues).

**Note:** Complaints should be submitted in writing where practicable as per **Section 43(3)** of the [Police Act](#).

Complaints must be submitted within one year of the incident as per **Section 43(11, 13)** of the [Police Act](#).

Complainants must be advised at least once each 45 days regarding the status of their complaint as *per* **Section 44(11)** policies and services, **45(7)** police officers, **46(7)** chiefs of police, and **46.1(7)** serious incidents of the [Police Act](#). The PCD shall have access to all records pertaining to public complaints and shall monitor the process on behalf of the Commission to ensure complainants are kept informed.

The Commission must report all complaints and their subsequent dispositions to the Director of Law Enforcement as per **Section 52** of the [Police Act](#).

(2) **Complaints Regarding Police Officers**

- (a) Complaints concerning a police officer are the responsibility of the chief. The PCD forwards concerns regarding police officers to the chief as per **Section 28.1(3)** of the [Police Act](#).
- (b) Complaints against police officers may be resolved informally at any time before or during an investigation with consent as per **Section 43.1(1)** of the [Police Act](#).
- (c) The Commission may become involved in these types of complaints if the chief requests that the chair arrange for investigation of the complaint by another police service. **Section 45(5-7)** of the [Police Act](#).
- (d) A copy of the final decision regarding the complaint is sent to the Commission as per **Section 45(8)** of the [Police Act](#).
- (e) The Commission may be asked by the chief to consider dismissing a complaint when the chief considers the complaint frivolous, vexatious or made in bad faith as per **Section 43(7-8, 12-14)** of the [Police Act](#). Documentation explaining the decision and the right to request a review of the decision is provided to the complainant by the Commission if the Commission agrees it is frivolous, vexatious or made in bad faith.
- (f) Police officers under investigation for misconduct (as per **Section 5** of the [Police Service Regulation](#)) must be charged within the time limits as set out in **Section 7** of the [Police Service Regulation](#) unless an extension is filed and granted by the Commission.

(3) **Chief of Police Complaints**

- (a) Complaints concerning a chief are submitted to the Chair of the Commission for action as per **Section 43(2)** of the [Police Act](#).
- (b) Complaints may be dealt with informally by the Chair as per **Section 43.1(2)** of the [Police Act](#) if both the chief and complainant consent.
- (c) **Section 46(1-7)** of the [Police Act](#) outlines the handling of complaints submitted to the Commission regarding the Chief of Police.

- (d) The Commission may dismiss complaints against the chief per **Section 43(9, 12, and 14)** of the [Police Act](#) at any time before or during the investigation if the Commission believes the complaint is frivolous, vexatious or made in bad faith. Documentation explaining the decision and the right to request a review of the decision is provided to the complainant and the chief.

(4) **Police Services or Policy Complaints**

- (a) Complaints concerning police services or service policies, as per **Section 44(1)(b)** of the [Police Act](#), are referred to the chief who may:
  - (i) deal with the complaint; or
  - (ii) refer the matter to the Commission.
- (b) The Chief of Police must provide a copy of the final decision regarding service or policy complaints to the Commission as per **Section 44(10)** of the [Police Act](#).
- (c) Complaints made regarding police services or policy can be appealed to the Commission as per **Section 44(3-9)** of the [Police Act](#).
- (d) The Commission must provide a copy of the final decision regarding service or policy appeals to the complainant as per **Section 44(9)** of the [Police Act](#).
- (e) The Commission **Section 43(10,12,14)** or chief **Section 43(7)** may dismiss such complaints at any time before or during the investigation if it is believed the complaint is frivolous, vexatious or made in bad faith. Documentation explaining the decision and the right to request a review of the decision is provided to the complainant and the chief.

(5) **Serious Incidents and Complaints**

Serious incidents or complaints (including issues of a sensitive nature), as defined by Alberta Solicitor General and Public Security are managed according to **Section 46.1** and **Section 46.2** of the [Police Act](#).

- (a) The chief shall notify the Commission and the Minister as soon as practicable of incidents or complaints involving serious injury or death of any person that may have resulted from the actions of a police officer as per **Section 46.1(1)** of the [Police Act](#).
- (b) The chief shall notify the Commission and Minister as soon practicable of situations of a serious or sensitive nature that may have related to the actions of a police officer as per **Section 46.1(1)** of the [Police Act](#).
- (c) The Minister, via his/her designate, the Director of Law Enforcement, will decide how the matter is investigated as per **Section 46.1(2)(a-d)** of the [Police Act](#). This may include:
  - (i) assistance of a police officer from another police service;
  - (ii) investigation by another police service;
  - (iii) appointing of the public as overseers; or

- (iv) as per **Section 46.2** of the [Police Act](#), direction to the Alberta Serious Incident Response Team to investigate, assist in the investigation, or take over the investigation.
- (d) Copies of documentation provided to the complainant during the investigation will also be provided to the Commission as per **Section 46.1(8)** of the [Police Act](#). The investigation findings will be shared with the Commission as per **Section 46.1(4)** of the [Police Act](#).

### **Complaint Analysis**

As per the *Provincial Policing Standards*, the police service shall analyze, annually, all complaints to evaluate and resolve any trends that may adversely affect public confidence in either the conduct of an individual member or the quality of service delivered. The results of the analysis shall be reported annually to the Police Commission with identification of strategies to address concerns. ([Alberta Policing Oversight Standard PA 7.9](#))

**Section 3:**  
**Policies for the Governance and Oversight of the Police Service**

Guidelines, policies and directions for the provision of efficient and effective police services.

### 3.1 Approach to Policing

- (1) The Police Commission endorses a community-based approach to policing based on the following definition:

Community policing, which is based on the principles of partnership, ownership, problem solving and quality service, allows police services to respond to the unique policing needs of their communities. Implementing community policing requires ongoing dialogue with the community, taking a collaborative and proactive approach and identifying community needs.

- (2) The Chief of Police must manage the police service in a manner that upholds the Commission's commitment to community-based policing.

### 3.2 Management of the Police Service

- (1) The Chief of Police has command of the police service subject to the policies and general supervision of the Police Commission.
- (2) The Chief of Police may delegate authority but cannot relinquish control or cease to be responsible for the professional administration of the police service.
- (3) If the Chief of Police is unable to fulfill his or her assigned duties, the Commission appoints an interim chief.
- (4) The Chief shall present an annual report to the Commission covering the operations of the police service during the previous fiscal year (**Alberta Policing Oversight Standard OM 3.2**).
- (5) The chief shall receive an annual evaluation of his performance in managing the police service from the Commission.

### 3.3 Jurisdiction

- (1) Police officers have jurisdiction throughout the province as per **Section 38(2)**, unless restricted by a Commission as per **Section 31(2a)** and **Section 38(3)**. Even when restricted, however, if the officer is in an immediate pursuit as per **Section 38(4)** powers can be exercised beyond that jurisdiction.
- (2) The consent of the Police Commission must be obtained if police officers are to work outside of their restricted territorial jurisdiction as per **Section 33(1)** of the [Police Act](#).
- (3) The Commission Chair and the Public Complaints Director will be notified of any requests from other Police Commissions under **Section 45(5)** of the Police Act. The Chair and the PCD will request a recommendation from the Chief of Police taking into consideration operational and financial impacts whether or not TPS can oblige the request. The Chair and PCD can authorize such a request with advice to the Commission as a whole. This process may be expedited when circumstances require it at the discretion of the Commission in consultation with the Chief of Police.

OR

- (4) The Commission Chair will be notified of any requests from other Police Commissions under **Section 45(5)** of the Police Act. The Chair will request a recommendation from the Chief of Police taking into consideration operational and financial impacts whether or not TPS can oblige the request. The Chair can authorize such a request with advice to the Commission as a whole when time is a factor. The Chair will contact and advise the other Commission members of the situation and the decision.

### 3.4 Personnel

- (1) The Police Commission delegates to the Chief of Police the authority to appoint sworn members and civilian employees to the police service, with the exception of the Chief of Police.
- (2) The Commission delegates to the chief the authority to approve special leave requests from sworn members and civilian employees.
- (3) Under **Section 37(2)** of the [Police Act](#), the Commission may terminate the services of a police officer for reasons other than disciplinary reasons.
  - (a) When requesting that the Commission terminate the services of a police officer, the chief must ensure that thorough documentation of the reasons for termination is placed before the Commission at the same time as the request.
  - (b) At the Commission's discretion, an officer identified for termination under **Section 37(20)** may be given an opportunity to make written representation to the Commission prior to the Commission's decision regarding the chief's recommendation of termination. The Commission's decision is final.
- (4) The Commission is bound by **Section 8 (11-13)** of the [Police Service Regulation](#) with respect to relief of duty without pay.

### 3.5 Financial

- (1) In accordance with the budget cycle of the municipality, the Commission, in consultation with the Chief of Police, shall consult the business plan which specifies the level of police services and programs to be provided to meet the needs of the citizens. ([Police Act Section 29\(1-3\)](#))
  - (a) The chief presents a policing plan and proposed budget detailing police services, programs and capital expenditures designed to best meet the community needs to the Commission for approval.
  - (b) In consultation with the chief, the Commission determines if community conditions and general community welfare warrant the addition, elimination, reduction, continuation or expansion of specific programs or the level of police service.
  - (c) The budget must reflect all police court fine revenue from the previous years' experience.
  - (d) The Commission submits the police service budget, as approved, to Council in accordance with the specified timetable of the municipality.

- (2) The chief will present monthly reports on the budget of the police service to the Commission. Those reports will be presented to Council by the Commission.
  - (a) The chief reports anticipated variances in the annual budget to the Commission as soon as practicable.
  - (b) Operating funds approved by the Commission in the annual operating or capital budget that are unexpended at year-end (in excess of \$10,000), cannot be spent on operational activities or capital projects that have not been approved by the Commission.
  - (c) The chief may reallocate funds between account categories where necessary to achieve annual objectives or to reflect adjustments to annual objectives based on community requirements. Reallocations of funds that exceed \$10,000 must be reported monthly to the Commission.
  - (d) The chief must advise the Commission of all new leases exceeding \$50,000 over the life of the lease, before these items are presented to Council or a committee of Council.
- (3) Application for expense reimbursement by the Chief of Police is submitted to the Chair or designate for review and approval. Monthly summaries of all expenses for the chief are submitted to the chair for review and approval. Expenses for members of the Commission including the Chair will be processed by the Secretary of the Commission.
- (4) Private sector donations to the police service must be approved by the Chair and will only be approved if the impartiality of police does not come into question. Amounts in excess of \$1000 will be directed for use as approved by the Commission if not designated to a specific program of the police service. A summary of such donations shall be submitted to the Chair of the Commission at the close of the year.
- (5) The Taber Municipal Police Commission and Police Service employ an accounting system that is provided by the Town of Taber Finance Department. Yearly financial audits are the responsibility of the Finance Department and are carried out employing generally accepted accounting principles that exist from time to time. **(Alberta Policing Oversight Standard OM3)**

### 3.6 Police Service Policies

The policies and procedures for the police service must adhere to provincial policing standards developed by Alberta Solicitor General and Public Security. Commission members are responsible for ensuring that the police service has policies that address the standards in the [Provincial Policing Standards Manual](#), as amended.

# APPENDIX 'A'

#### APPOINTMENT AND RE-APPOINTMENT PROCESS

Upon a vacancy for appointment to the Taber Police Commission the Administration at the direction of the Chief Administration Officer shall follow the steps contained in this appendix to identify appropriate community members and approve/certify/clear those named for appointment.

- 1) The vacancy shall be advertised in the local media and on the Town of Taber website. Applicants shall complete and submit an application available from the Town of Taber Administration office, along with a signed release of information. The Secretary will make a determination to request an enhanced police information check.
- 2) If no or insufficient applications are received the position will continue to be advertised.
- 3) The list of applicants shall be reviewed by the CAO who shall make a recommendation of names which shall go forward to the Council agenda.
- 4) Those successful applicants shall be presented to the Council for approval in a closed session.
- 5) The Council shall be made aware of the contents of Section 2.1.3 of the Taber Police Commission Policy Manual relating to the needs of the position. The Council may seek any clarification they deem necessary to assist them in making a decision.
- 6) When a Commission member term of service is over and they remain eligible for re-appointment they must also follow this process. In consideration of their re-appointment the Council shall consider their record of service and may seek such clarification they deem necessary to assist them in this decision.
- 7) Upon appointment a personnel file shall be created and maintained by the Secretary to ensure service dates are recorded, oaths of office are retained and any correspondences can be managed, the file will be destroyed at the conclusion of the member's service to the Commission.

## APPENDIX 'B'



*Taber Police Service*

**Complaints  
Against  
Police**

Taber is a great place to live. With your help we can make it even better. Working together to keep channels of communication open between Taber's citizens and police is important. If you have a complaint against the Taber Police Service, we encourage you to make your feelings known. We will listen to you and take appropriate action. That's a promise.

**WHAT HAPPENS AFTER AN  
INVESTIGATION IS COMPLETED?**

If it is found that a criminal offence was committed, the reports and investigation are given to Alberta Justice (crown prosecutor) and s/he decides whether or not charges will be laid.

In matters that do not involve criminal offences, the Chief of Police reviews the investigation and decides what will be done.

If it is decided that an officer has contravened a section of a service regulation, the Chief can consider three different options:

- (a) conduct an internal disciplinary hearing;
- (b) issue an official warning;
- (c) dismiss the matter.

The Chief of Police notifies the person who has made the complaint what decision was made and what action was taken.

**WHO IS THE  
TABER POLICE COMMISSION?**

The Taber Police Commission is a seven-member board appointed by Town Council. It is comprised of five citizens from the community and two Councilors. Under the authority of *The Police Act*, the Commission is responsible for the general supervision of the Taber Police Service. These responsibilities include: establishing policy; reviewing public complaints against the Police Service and its members; and issuing instructions as necessary to the Chief of Police.

**WHAT IS A COMPLAINT?**

A complaint is an allegation by any member of the public concerning the:  
(a) services provided; and/or  
(b) conduct  
of a member of the Taber Police Service or any other person appointed or employed under *The Alberta Police Act*.

**MEDIATION**

Complaints that are minor in nature can be referred for mediation. Mediation is recognized by the Taber Police Service as an alternate means of resolution to complaints against police.

However, before mediation can occur, the Chief of Police, the complainant, and the member involved must be fully in agreement to participate.

The process is available at all times during and prior to an investigation.

If, however, mediation is not successful, the complaint goes into the formal process for investigation.

**WHO CAN MAKE A COMPLAINT?**

Any person who feels offended by the actions or attitude of a police officer or the services provided by the police service can make a complaint.

Any person can make a complaint on behalf of another person. For example, you can make a complaint on behalf of a minor or on behalf of a person who is incapacitated.

**HOW DOES A PERSON MAKE  
A COMPLAINT?**

Complaints can be made by telephone, in person, or in writing, to any police officer of the Taber Police Service, to the Public Complaints Director through the Town of Taber Administration office, or directly to the Chief of Police. Members of the police service are on duty 24 hours a day, every day of the week. The Police Act requires that an individual making a complaint must then participate in the investigation by cooperating with investigators. This will consist of providing a statement and relevant information.

**WHAT HAPPENS AT AN  
INTERNAL DISCIPLINARY  
HEARING?**

You (the complainant), the Taber Police Service member, representatives of the Service, and any interested parties have a right to be heard. The hearing may be held in public at a date and location that is convenient to the parties involved.

**WHAT HAPPENS IF THE PERSON  
WHO MAKES THE COMPLAINT IS  
NOT SATISFIED?**

If the person making the complaint is not satisfied with the findings of a concluded investigation, s/he will be advised of their right to appeal the decision. This appeal may be made within 30 days to:

**The Secretary  
Law Enforcement Review Board  
10<sup>th</sup> Floor, 10365 – 97 Street  
Edmonton, Alberta T5J 3W7**

**WHAT HAPPENS TO A  
COMPLAINT AFTER IT IS MADE?**

All complaints are treated seriously and no matter where your complaint is made, a copy is sent to the Chief of Police. The police officer(s) named also receives a copy of the complaint. When a complaint is received, the Chief of Police will determine if the complaint is about the actions of a police officer or about the services provided by the police. The Chief of Police will then direct the complaint be investigated as per the direction provided in *The Alberta Police Act*.

While the investigation is being conducted, you will be provided with status reports on a regular basis.

**HOW ARE COMPLAINTS  
INVESTIGATED?**

All complaints are investigated by the Taber Police Service or by another agency if the Chief of Police and the Police Commission agree that it would be in the public interest to do so. A member assigned responsibility for the investigation will interview or obtain statements from all involved in the complaint and prepare a report for the Chief of Police.

**ADDRESS AND INFORMATION**

Chief of Police  
Taber Police Service  
5700 50th Avenue  
Taber, Alberta T1G 2H7  
(403) 223-8991

## APPENDIX 'C'

## TABER MUNICIPAL POLICE COMMISSION CODE OF CONDUCT AND ETHICS

The purpose of this Code of Conduct and Ethics is to outline the minimum standard of conduct expected and to guide appointed members of the Taber Municipal Police Commission. The expectation is that Commission Members carry out their entrusted duties in a way that displays respect, integrity, transparency, accountability, and to acknowledge that the function of the Taber Municipal Police Commission is, at all times, to serve its community and the public.

Taber Municipal Police Commission members shall govern their conduct in accordance with the requirements and obligations set out in the Province of *Alberta Police Act and Regulations*, and the bylaws and policies enforced by the Town of Taber. This Code of Conduct and Ethics supplements the Taber Municipal Police Commission Policy Manual and the Town of Taber Policies referred to in the Commission Policy.

Therefore, Commission members shall:

1. At all times conduct themselves at the highest standard on both a personal and professional level. They are to be respectful and courteous of other Commission members, Commission staff, members of the Taber Police Service, and the public in order to demonstrate the values of the Taber Municipal Police Commission, retaining the trust, respect, and confidence of the public.
2. Abide by their Oath of Office to preserve the integrity of the Commission and retain the trust, respect, and confidence of the community.
3. Ensure they are available for orientation, training, and educational opportunities that are offered or required that would assist them in effectively and successfully carrying out their duties.
4. Attend and actively participate in all Commission meetings and report absences to the Chair prior to the meeting. Nonattendance may be cause for dismissal from the Commission.
5. Not share information deemed sensitive or confidential discussed or disclosed at in-camera or closed meetings.
6. Declare all potential or perceived conflicts of interests to the Chair. In the case that the breach is related to the Chair, it must be reported to the Vice-Chair. Conflicts of interest can be but are not limited to:
  - (a) personal interests (financial or other),
  - (b) professional/occupational interests (financial or other),
  - (c) interest that may or appear to affect their objectivity,
  - (d) interests that may or appear to affect their judgement,
  - (e) interests that may or appear to affect their ability to act in the best interest of the Commission.
- 6.1 Conflicts, personally or in relation to a colleague, must be brought to the attention of the Chairperson and handled in a manner that preserves the public confidence, integrity, and impartiality of the Commission. Failure to disclose a conflict of interest may result in dismissal from the Commission.
- 6.2 If a Commissioner is not certain whether there is a potential, real or perceived conflict of interest, they must bring it forward to the Commission.
- 6.3 The Commission will determine by majority vote if a conflict exists. The Commissioner potentially in conflict shall be absent from the discussion and shall not vote on the issue of whether a conflict exists.
- 6.4 Where a Commissioner has declared a conflict in a matter or a majority of the Commission has voted that a conflict of interest exists for a specific Commissioner in the matter, the affected

Commissioner shall leave the meeting room for the duration of any discussion on the matter, abstain from participating in any discussion on the matter, shall not attempt to personally influence the outcome, and shall not vote on the matter.

7. Not use their position to advance their interests or the interests of any person or organization that they are associated with.
8. Not interfere with Taber Police Service's operational decisions, responsibilities, and day to day operations of police services. Commissioners will not attempt to exercise individual authority over the Commission or the Taber Police Service. Commission members have no individual authority over the Chief of Police or other Taber Police Service members.
9. Not speak to the media on behalf of the Commission unless delegated to do so by the Commission Chairperson. The Chair will be the spokesperson for the Commission. Delegation of this authority may be made as required to designated members of the Commission.
  - (a) If speaking to the media in their individual capacity, individual Commissioners must notify the media that they are not speaking as a spokesperson for the Commission.
  - (b) A Commissioner who expresses disagreement with a decision of the Commission shall make it clear that the member is expressing a personal opinion, and not the opinion of the Commission.
10. Any unbecoming conduct, either personal, electronic, professional, or otherwise, from a member of the Police Commission may be grounds for dismissal as evaluated by either Council, as it relates to the Taber Municipal Police Commission Bylaw, or the Police Commission, after assessment by the Chair or designate, upon recommendation to Council.
11. Report themselves or a colleague of the Commission if they have breached their Oath of Office or Code of Conduct and Ethics, real or alleged, and shall bring that information forward to the Commission.
12. Withdraw as a member of the Commission for the duration of an investigation or inquiry if their conduct or performance is being investigated by the Commission.
13. For a period of twelve months after leaving the Commission, abide by the ethical standards of conduct listed above, except those related to confidential information which shall apply in perpetuity.

Commission members should not assume that any unethical actions not specifically prohibited in the Taber Municipal Police Commission Code of Conduct and Ethics are therefore tolerated. If in doubt about specific action(s) Commission members are encouraged to seek advice from the Chair or from legal counsel.

I acknowledge that I have read and agree to abide by the Taber Municipal Police Commission Code of Conduct and Ethics.

Signed the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Commissioners Name (Print)

\_\_\_\_\_  
Commissioners Signature

\_\_\_\_\_  
Witness Name (Print)

\_\_\_\_\_  
Witness Signature