

# Canmore Policing Committee Policy Manual

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**Canmore Policing Committee  
Canmore, Alberta**

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## **Section 1: Framework**

## 1.1 Intent

The manual includes policies designed to assist the policing committee in:

- conducting its own business as effectively, efficiently, and as transparently as possible; and
- providing direction to the detachment commander.

While the [\*Police Act\*](#) outlines the legal obligations of the policing committee, as a “local government body”, the policing committee 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:

- a. *Alberta Municipal Government Act*
- b. *Canadian Charter of Rights and Freedoms*
- c. *Criminal Code of Canada*
- d. *Freedom of Information and Protection of Privacy Act*
- e. *Freedom of Information and Protection of Privacy Regulations*
- f. *Town of Canmore Policing Committee Bylaw 2015-14*
- g. *Municipal Policing Services Agreement (MPSA)*
- h. *Provincial Policing Standards and Evaluations and*
- i. *RCMP Act*

Please forward any suggested amendments to this policy manual to:

Canmore Policing Committee  
Greg Burt, Manager of Protective Services at 403-678-1576

E-Mail: [policingcommittee@canmore.ca](mailto:policingcommittee@canmore.ca)

For questions regarding the application of this information to the development of policies and procedures for your policing committee, please contact Greg Burt.

For current Police Committee Contact Information, please view the committee webpage at:

<https://canmore.ca/town-hall/boards-committees/canmore-policing-commission>

## 1.2 Policing Committee Legislative Obligations

The policing committee is an independent organization established by council pursuant to **Section 23(2)** of the [Police Act](#).

Town of Canmore Council, in the Policing Committee Bylaw 2015-14, has

- Prescribed the rules governing the operations of the policing committee; and
- Allowed for the appointment of members to the policing committee.

## 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 become a model of the civilian oversight of policing for municipal stakeholders contracting with the Federal Government for the services of the RCMP.

## 1.5 Values

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

## **Section 2: Policies for the Policing Committee**

Policies, adopted by the policing committee, to govern its members, relationships, staff and activities and guidelines used by members and staff of the policing committee in carrying out the committee's responsibilities and obligations under the [Police Act](#), the *Freedom of Information and Protection of Privacy Act* and Town of Canmore *Policing Committee Bylaw*.

## 2.1 Selection and Appointment of Policing Committee Members

In the selection and appointment of policing committee members, municipal council and the policing committee adheres to **Section 23(1-15)** of the [Police Act](#) and the Town of Canmore Policing Committee Bylaw. (Refer to Appendix 4.5, The Town of Canmore Bylaw 2015-14 for complete details on the committee as approved and directed by Council.)

- (1) Committee vacancies will be advertised by the Town annually in September. This shall include the number of vacancies, a brief description of the committee and expectations for committee members.
- (2) The chair or vice chair shall be responsible for interviewing committee applicants. Upon completion of the interviews the chair or vice chair shall meet with the Manager of Protective Services and will provide him with a ranking of the candidates.
- (3) The Manager of Protective Services shall submit a list of recommended applicants to Council for consideration.
- (4) Council will appoint public committee members at their annual organization meeting in October.
- (5) All those appointed to the policing committee shall take the oath set out in **Schedule 2** of the [Police Act](#), and submit a criminal record check to the town.
- (6) Staggered appointment by council is desired for succession planning.
- (7) A former member is eligible for reappointment.
- (8) When a vacancy occurs, council may appoint a replacement for the remainder of the term.
- (9) Membership can be revoked by council for just cause.
- (10) The policing committee chair will act as public complaint director (PCD).
- (11) The Town shall provide administrative support to assist the policing committee by:
  - (a) attending all meetings and keeping a complete record of the minutes of the meetings;
  - (b) maintaining all records, correspondence, orders and decisions of the policing committee;
  - (c) carry out such other functions of the policing committee as may be delegated.

## 2.2 Policing Committee Responsibilities

The policing committee responsibilities are prescribed by Sections 23(14) and 28.1 (1,3) of the Police Act and Section 4 of the Policing Committee Bylaw.

Listed below are the responsibilities as prescribed by the Act and Bylaw and the interpretation of how these responsibilities apply.

Police Act		
Section	Wording from Act	Interpretation/Intent
23 (a)	Oversee the administration of the policing agreement (MPSA);	The entire agreement is included as MPSA Appendix 4.6. What is relevant for the committee is: Article 2: Purpose and Scope Article 5: Increase or Reduction in the Municipal Police Service

		<p>Article 6: Management of the Municipal Police Service</p> <p>Article 7: Operation of the Municipal Police Service</p> <p>Article 8: Resources and organization</p> <p>Article 18: Operational Effectiveness Assessments</p>
23(b)	Assist in selecting the officer in charge	When a vacancy occurs with the Staff Sergeant position, a member of the policing committee shall have the opportunity to be a part of the RCMP selection process (See Section 7.3 of the MPSA)
23(c)	Represent the interests of the council to the officer in charge of the municipal police service	One member of Council sits on the committee. It shall be the responsibility of the Council member to represent the interests of Council to the officer in charge at the policing committee meetings.
23(d)	In consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing	Committee members shall obtain feedback from the community on policing priorities and with the officer in charge develop a yearly plan of priorities and strategies. This is known as the Annual Policing Priorities (APP). The committee is required to submit this annual plan to Council for information (Section 4.1 of the Policing Committee Bylaw)
23(e)	Issue instructions to the officer in charge respecting the implementation and operation of the yearly plan	This is accomplished by approving the Annual Policing Priorities.
23(f)	Represent the interests and concerns of the public to the officer in charge	One of the main functions of the committee is to share interests and concerns of the public to the officer in charge. This information can be obtained through formal means such as attending service club meetings or participating in public information sessions, or informally by obtaining feedback through peer networks.



23(g)	Assist the officer in charge in resolving complaints	This is accomplished by appointing a public complaint director and advertising this service.
23(h)	Appoint a Public Complaint Director	The chair is delegated to be the Public Complaints Director.

As per **Sections 23(14)** and **28.1(1,3)** of the [Police Act](#), the policing committee shall, with respect to the municipality for which it is established:

- a) Oversee the administration of the policing agreement (MPSA);
- b) Assist in selecting the officer in charge;
- c) Represent the interests of the council to the officer in charge of the municipal police service;
- d) In consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing;
- e) Issue instructions to the officer in charge respecting the implementation and operation of the yearly plan;
- f) Represent the interests and concerns of the public to the officer in charge;
- g) Assist the officer in charge in resolving complaints; and
- h) Appoint a Public Complaint Director.

**Note:** Municipal council is liable for any legal liability incurred by the policing committee.

## 2.3 Policy Review

- a) Policies and procedures of the policing committee shall be reviewed annually. Modifications must receive policing committee approval.
- b) In the event the Canmore Policing Committee is dissolved; the CAO is required to notify administration at Alberta Justice and Solicitor General.

## 2.4 Policing Committee Member Conduct

- (1) Members of the policing committee 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 policing committee are maintained and enhanced.
- (2) All members will abide by their oath of office.
- (3) Policing committee member actions will respect the dignity of individuals in accordance with the:
  - *Alberta Human Rights, Citizenship and Multiculturalism Act*;
  - *Canadian Charter of Rights and Freedoms*; and
  - *Freedom of Information and Protection of Privacy Act*; and
  - *The Town of Canmore's Respectful Workplace Policy*.
- (4) Policing committee 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 policing committee.
- (5) Policing committee members are required to attend all scheduled meetings of the policing committee and all sub-committee meetings on which they are serving. Absences should be reported to the chair prior to meetings. Lack of attendance may be cause for dismissal from the policing committee.

- (6) Policing committee members will follow the municipal policies regarding the acceptance of personal and corporate gifts. (See Appendix 4.4)
- (7) Inappropriate conduct may result in dismissal from the policing committee as recommended by a majority of the policing committee and ratified by council.

## **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 policing committee member. This conflict may exist whether or not there is financial gain. Town of Canmore Bylaw 2015-24 item 10.1 states:

*"No member shall participate in any discussion nor vote upon any matter that may involve a pecuniary interest as defined in the Municipal Government Act."*

- (1) Policing committee members, personally or in relation to their colleagues, must declare all potential or perceived conflicts of interest. The policing committee will decide whether or not the member in question will be excluded from voting or discussion of 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 policing committee.
- (4) Undisclosed conflict of interest may result in dismissal from the policing committee as per the final decision of council.

## **2.6 Committee Expenses**

- (1) Expenses will be reimbursed using the municipal travel and expense policy.
- (2) Money for expenses will be obtained from the policing committee's annual budget as granted by council following the municipal budgetary cycle.

## **2.7 Orientation of New Members**

- (1) New policing committee members will participate in an orientation session regarding their roles and responsibilities. This orientation shall take place as soon as practicable upon appointment.
- (2) New policing committee members will be given copies of (alphabetical):
  - Canmore Policing Committee Bylaw 2015-14; and
  - Canmore Policing Committee Policy Manual.
- (3) Policing committee members will receive an overview from the chair or designate regarding (alphabetical):
  - Communication strategies and policies (with members, policing committee staff, external services, media, public, police service, etc.);
  - Current goals of the policing committee;
  - Event schedules and expected attendance;
  - Meeting procedures and schedules;
  - Mission and vision of the policing committee;
  - Municipal Policing Agreement (MPSA);
  - Organizational structure of council;
  - Organizational structure of the RCMP detachment;

- Past annual reports (policing committee and RCMP);
  - Policing committee budget;
  - Structure and function of sub-committees;
  - Time commitments; and
  - Travel and expense policy.
- (4) Policing committee members will participate in ongoing developmental opportunities as time permits including but not limited to (alphabetical):
- Attendance at conferences;
  - Introduction to community societies and non-profits;
  - Mentoring (including for succession planning);
  - Overview of victims of crime services; and
  - Training provided by Alberta Justice and Solicitor General or other provincial partners. On-line training is required and will be set up by the Chair for all members.
  - New committee members are required to complete On-Line Training within 3 months of their appointment to the Policing Committee.

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

- (1) The chair as elected by the membership at the commencement of each year, presides over policing committee meetings. Should the chair not be present, or vacate the position either temporarily or permanently, the vice-chair 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.
- (3) Should neither the chair nor vice-chair be available, the policing committee 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 breach/potential breach of the oath or these policies by a member or detachment commander. Breaches by the chair should be referred to the vice-chair.
- (5) The chair/vice-chair may engage an outside agency as required to investigate allegations of the breach. The policing committee will review findings and recommend (or not) the revocation of the appointment to council.

## **2.9 Role of Public Complaint Director**

- (1) The public complaint director (PCD), who is the Policing Committee Chair, receives complaints from the public on behalf of the policing committee. The PCD is delegated the authority to receive complaints, liaise with the detachment commander and perform other duties on behalf of the policing committee as per **Section 28.1(3 (a, b, c))** of the [Police Act](#).
- (2) Complaints are recorded in writing by the PCD and forwarded on behalf of the complainant to the detachment commander who decides if the complaint should be managed by the police service or the policing committee as per **Section 43(1)** of the [Police Act](#).
- (3) The PCD monitors the complaints process of the police service.
- (4) The PCD provides reports monthly to the policing committee.
- (5) The PCD attends meetings as coordinated by the provincial public complaint director from Alberta Justice and Solicitor General.
- (6) The PCD consults with the municipality's FOIP coordinator with regard to file/record management including storage and destruction.

## 2.10 Formation of Sub-Committees

- (1) The function of a sub-committee is to assist the policing committee in completing its responsibilities.
- (2) The policing committee may form either standing or ad hoc sub-committees to examine and report on issues that fall under the authority and responsibility of the policing committee.
- (3) The policing committee sets the terms for the sub-committee, appoints its chair and participating members. Any policing committee member may attend a sub-committee meeting.
- (4) The policing committee may appoint subject matter experts from the public or policing committee staff to assist in sub-committee business.
- (5) The sub-committee must provide copies of its agenda and minutes of its meetings for storage by the policing committee.
- (6) The sub-committee provides options and recommendations for the policing committee to consider.
- (7) The sub-committee may not speak or act for the policing committee unless it has formally been given authority and then only for a specific or time-limited purpose.
- (8) The sub-committee shall report regularly to the policing committee, the schedule to be determined by the policing committee.

## 2.11 Meetings

- (1) At the last meeting of the year, the chair shall schedule all regular meetings occurring in the next year (Feb., May, Sept. & Nov.). The yearly schedule is made public. The Chair should advise the committee of the exact date/time of each scheduled meeting one month in advance.
- (2) A majority of policing committee members shall form a quorum. Each member has one vote. The detachment commander, staff and other attendees have an advisory capacity only and therefore no voting privileges. In the event of a tie, the chair will vote to maintain status quo.
- (3) Meetings shall be open to the public. However, in-camera sessions may be held respecting *Freedom of Information and Protection of Privacy Regulation* items (FOIP) when issues deal with:
  - Security of the policing committee's property;
  - Personal information of an individual, including an employee of the policing committee or police service;
  - A law enforcement matter (as per FOIP definition), litigation or potential litigation, including appeals to the policing committee or matters before administrative tribunals affecting the policing committee; or
  - The consideration of a request for access to information under (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 the meeting.
- (5) The agenda for each meeting is set by the chair in consultation with Manager of Protective Services and the detachment commander 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 policing committee members 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 policing committee 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 5 minutes unless otherwise indicated by the chair. Complaints about officer conduct are not topics for this forum.
- (8) During the meeting, the chair may coordinate requests from the audience to address the policing committee regarding items on the agenda. Complaints about officer conduct are not topics for this forum.
- (9) The general order of business for policing committee meetings as coordinated by the chair is as follows:
  - Call the meeting to order
  - Regrets
  - Adoption of the Agenda
  - Approval of previous Minutes
  - Business arising from previous meetings
  - Community Engagement Update
  - Executive/Sub-Committee Reports
  - Other new business
  - Delegations
  - Adjournment
- (10) Minutes of meetings are an honest expression of the group's opinions and a summary of what was discussed and decided. Unbiased, accurate minutes will include:
  - Time the meeting was called to order;
  - Names of attendees and those sending regrets (and if only attending part of the meeting);
  - Persons who motioned and seconded adoption of the agenda and approval of previous minutes, and all decisions made during the meeting;
  - Concise summaries regarding discussions and presentations;
  - Items that have been held over to another meeting (for tracking) with deadlines; and
  - The time the meeting adjourns.
- (11) Notes kept to prepare the official minutes of the policing committee are considered transitory records and are destroyed upon approval of the minutes.
- (12) All records of the policing committee are stored and archived as per the policies and procedures of the municipality.
- (13) The policing committee, as a public body must comply with *Freedom of Information and Protection of Privacy* (FOIP) Legislation. The FOIP coordinator for the municipality has been designated in Bylaw as 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 policing committee should be directed to the FOIP Coordinator for the municipality subject to their fees and policies.

**Note:** The RCMP is subject to federal legislation that differs from provincial FOIP.

## **2.12 Communication**

- (1) The chair of the policing committee is the official spokesperson for the policing committee and represents the policing committee in all matters before municipal, provincial and federal government.
- (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 policing committee members are forwarded to the policing committee for response and filing.
- (4) Formal communication between the police service and the policing committee is conducted through the chair and the office of the detachment commander.
- (5) The chair is the media spokesperson for the policing committee.

## **2.13 Policing Committee Annual Plan**

This section refers only to the annual plan for the policing committee only. The RCMP Annual Plans and Priorities is dealt with under Section 3.3 of this policy manual.

- (1) The policing committee, in consultation with the detachment commander and Manager of Protective Services, will write an annual plan that at a minimum contains:
  - Priorities, goals and objectives;
  - Implementation strategies;
  - Benchmarks for success; and
  - A budget.
- (2) Changes to the plan need approval from the policing committee. All changes must be recorded in policing committee minutes and reported on in the next quarterly report.
- (3) The financial records of the policing committee may be audited at any time by auditors appointed by the municipality.
- (4) The policing committee will prepare a final annual report for submission to both council and made available to the public. At a minimum the report may contain:
  - Membership of the policing committee;
  - Committee activities and highlights;
  - Number of complaints received regarding the RCMP by the Public Complaints Director.

## 2.14 Complaints

- (1) Complaints of the following three (3) types are to be managed using the Public Complaint Director Protocol developed in partnership by RCMP "K" Division and Alberta Justice and Solicitor General:
  - assistance to the general public;
  - public complaints and or statutory allegations; and
  - service delivery complaints.

- (2) **Serious Incidents and Complaints**

Serious incidents or complaints (including issues of a sensitive nature), as defined by Alberta Justice and Solicitor General are managed according to **Section 46.1** and **Section 46.2** of the [Police Act](#). **Note:** The RCMP complies with this provincial legislative directive.

- (a) The criminal operations officer (CROPS Officer) shall notify 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](#). The detachment commander shall inform the policing committee of same as soon as practicable.
- (b) The CROPS Officer shall notify the 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](#). The detachment commander shall inform the policing committee of same as soon as practicable.
- (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:
  - assistance of a police officer from another police service;
  - investigation by another police service;
  - appointing of the public as overseers; or
  - as per **Section 46.2** of the [Police Act](#), direct 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 policing committee in the spirit of **Section 46.1(8)** of the [Police Act](#). The investigation findings will be shared with the policing committee in the spirit of **Section 46.1(4)** of the [Police Act](#).
- (e) **Complaint Analysis**

As per the *Provincial Policing Standards*, **Section PA 7.9** the police service shall analyze all complaints annually 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 policing committee by the detachment commander with identification of strategies to address concerns.

### **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 policing committee 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 detachment commander must manage the police service in a manner that upholds the policing committee's commitment to community-based policing.

### 3.2 Management of the Police Service

- (1) For the purposes of the Municipal Policing Services Agreement (MPSA), the Officer in Charge will act under the direction of the CAO, or policing committee if the CAO has designated in writing (i.e. the policing committee's by-law).
- (2) The detachment commander has command of the police service subject to the policies and general supervision outlined in the Municipal Policing Service Agreement (MPSA).
- (3) If the detachment commander is unable to fulfill his or her assigned duties, the RCMP shall be responsible for appointing an interim detachment commander.
- (4) Each year, the policing committee (as the designate of CAO/council), in consultation with the detachment commander set the objectives, priorities and goals of the municipal police service in concert with the annual RCMP planning cycle (**MPSA Article 6.1**).
- (5) The municipal police service will follow the professional police standards and procedures as determined by the RCMP (**MPSA Article 6.5**).

### 3.3 Operation of the Police Service

- (1) The detachment commander (**MPSA Article 7.2**) will:
  - a. implement the objectives, priorities and goals as determined; and
  - b. report as reasonably required on matters of law enforcement in the municipality and on the implementation of the objectives, priorities and goals that have been set.
- (2) When applicable, the policing committee will have one committee member participate in the selection and appointment process of the detachment commander (**MPSA Article 7.3**).
- (3) The policing committee may discuss the removal of any member of the municipal police service with the detachment commander and the Manager of Protective Services (as delegated by the CAO). A written request for such removal will be forwarded to the Commanding Officer by the CAO (**MPSA Article 7.4**).
- (4) Each year, the detachment commander will provide annual statements including an explanation of changes since the previous statement, of the composition of the municipal police service that show or include (**MPSA Article 8.1**):
  - a. A current organizational chart of the police service;
  - b. The location and function of all members and support staff;
  - c. The location and function of all casual employees and temporary employees;
  - d. The number of vacancies which represents positions with no-one assigned to the positions (vacant, special leave, backfill, etc.);

- e. The number of members being deployed in surplus to the established strength.
- (5) The detachment commander will consult with and obtain approval, or approval in principle, from the policing committee and Manager of Protective Services (as delegated by the CAO) on or prior to June 1<sup>st</sup> each year, for the number of members required to maintain the level of policing service provided by the municipal police service as determined by the Manager of Protective Services (as delegated by the CAO pursuant to sub-article 6.3 of the MPSA (**MPSA Article 8.2**)).
- (6) The detachment commander will provide the policing committee with any additional information, to the extent possible, relating to human resource and organizational planning of the police service (**MPSA Article 8.3**).

### **3.3 Annual Plans and Priorities**

- (1) The detachment commander will present to the policing committee, the annual policing plan detailing police services, programs and priorities designed to best meet the community needs.
- (2) In consultation with the policing committee, the detachment commander 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 for the municipality.
- (3) The policing committee chair along with the detachment commander presents the final annual policing plan and budget to council for approval.
- (4) The detachment commander will present quarterly reports on the implementation of the annual policing plan and priorities, as well as the budget of the police service to the policing committee. The policing committee chair along with the detachment commander will present the same quarterly report to council as required.

### 3.4 Police Service Policies

The policies and procedures for the police service must adhere to provincial policing standards developed by Alberta Justice and Solicitor General. The policing committee is responsible for ensuring that the police service has policies that address the provincial policing standards. The following chart is the table of contents to the ***Provincial Policing Standards Manual***.

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- 4.2 RCMP Police Committee Handbook**
- 4.3 Complaint Resolution Guide**
- 4.4 Town of Canmore Policy 406-2010 “Employee Code of Conduct”**
- 4.5 Town of Canmore Bylaw 2015-24**
- 4.6 Municipal Policing Services Agreement (MPSA)**

## 4.1 Alberta Police Act Sections 23, 28, 46 & 49

### Alberta Police Act – Key Sections Pertaining to RCMP Policing Committees

#### Policing Committees

23(1) In this section, “officer in charge” means the officer in charge of the unit of the police service that is providing policing services to a municipality under section 22.

(2) A council that has entered into an agreement under section 22 may establish a policing committee.

(3) A council that establishes a policing committee shall, subject to the regulations,

(a) prescribe the rules governing the operation of the policing committee, and

(b) appoint the members of the policing committee.

(4) A policing committee shall consist of not fewer than 3 nor more than 12 members.

(5) If

(a) 4 or fewer members are appointed under subsection (3), one of them may be a member of the council or an employee of the municipality, or

(b) 5 or more members are appointed under subsection (3), 2 of them may be members of the council or employees of the municipality.

(6) The council may provide for the payment of reasonable remuneration or of a gratuity or allowance to members of the policing committee.

(7) The term of office of a person appointed to a policing committee is

(a) 3 years, or

(b) a term of less than 3 years, but not less than 2 years, as may be fixed by bylaw.

(8) Notwithstanding subsection (7), a majority of the members appointed to a newly established policing committee shall be appointed for 3 years, and the remaining members shall be appointed for 2 years.

(9) The members of a policing committee shall, at the first meeting of the policing committee in each year, elect from among their members a chair and one or more vice-chairs.

(10) A member who is a member of the council or an employee of the municipality is not eligible to be elected as chair or vice-chair of the committee.

(11) A member of a policing committee is eligible for reappointment if the reappointment does not result in more than 10 consecutive years of service by that member.

(12) If a person who is a member of a council is a member of the policing committee, that person’s appointment to the policing committee terminates on that person’s ceasing to be a member of the council.

(13) The appointment of a member to the policing committee may not be revoked by the council except for cause.

(14) A policing committee shall, with respect to the municipality for which it is established,

- (a) oversee the administration of the agreement made under section 22,
  - (b) assist in selecting the officer in charge,
  - (c) represent the interests of the council to the officer in charge,
  - (d) in consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing,
  - (e) issue instructions to the officer in charge respecting the implementation and operation of the yearly plan,
  - (f) represent the interests and concerns of the public to the officer in charge,
  - (g) assist the officer in charge in resolving complaints, and
  - (h) appoint a Public Complaint Director.
- (15) All persons appointed to a policing committee shall take the oath set out in Schedule 2.  
RSA 2000 cP-17 s23;2005 c31 s12;2010 c21 s7

### **Public Complaint Director**

28.1(1) Each commission and policing committee shall designate a person as a Public Complaint Director.

(2) The Public Complaint Director may be

- (a) a member of the commission or policing committee other than a member of the council,
- (b) an employee of the commission or policing committee,
- (c) an employee of the municipality,
- (d) another person, other than a member of the council, who in the opinion of the commission or policing committee is qualified to serve in that capacity, or
- (e) a former police officer if the position of Public Complaint Director is not in the same municipality where the former police officer was employed.

(2.1) The Public Complaint Director shall not be a currently serving police officer.

(3) The Public Complaint Director shall

- (a) receive complaints against police officers from the public and refer them to the chief of police under section 43(1),
- (b) act as a liaison between the commission, policing committee, the chief of police, the officer in charge of a police service and the complainant as applicable,
- (c) perform the duties assigned by the commission or policing committee in regard to complaints,
- (d) review the investigation conducted in respect of a complaint during the course of the investigation and at the conclusion of the investigation,
- (e) offer an alternative dispute resolution process where, in the Public Complaint Director's opinion, that may be an appropriate manner in which to resolve the complaint,

- (f) if an alternative dispute resolution process is offered under clause (e), review the manner in which the alternative dispute resolution process is delivered, and
- (g) provide reports to the commission or policing committee, as required by the commission or policing committee.

2005 c31 s15;2010 c21 s9

### **Serious incidents and complaints**

**46.1(1)** The chief of police shall as soon as practicable notify the commission and the Minister where

- (a) an incident occurs involving serious injury to or the death of any person that may have resulted from the actions of a police officer, or
- (b) a complaint is made alleging that
  - (i) serious injury to or the death of any person may have resulted from the actions of a police officer, or
  - (ii) there is any matter of a serious or sensitive nature related to the actions of a police officer.

2005 c31 s23;2005 c43 s8;2007 c6 s2

### **Complaints re RCMP**

**49** ... any complaints in Alberta with respect to members of the Royal Canadian Mounted Police shall be resolved in accordance with the laws governing complaints and discipline within the Royal Canadian Mounted Police.

1988 cP-12.01 s49;1995 c23 s17



## 4.2 RCMP Police Committee Handbook

### Alberta RCMP Policing Committee Handbook

The Ministry of Justice & Solicitor General (JSG), in partnership with the Alberta Association of Police Governance (AAPG), has assembled this handbook in order to assist you in your new role on the local RCMP policing committee. Thank you for accepting the appointment to the committee; we appreciate the interest and commitment you have shown by undertaking this role on behalf of your community. Committee members who follow the advice in this handbook can be assured that they are successfully meeting their responsibilities to the community.

#### Introduction

Effective policing in your community hinges on the maintenance of a proper balance between the independence and authority of the RCMP and accountability to the public and civilian authority. The role of the policing committee is to help maintain that balance by:

- Improving community input and guidance
- Assisting in dealing with local complaints and concerns
- Increasing transparency regarding the operations of the RCMP in the community
- Removing the pressures associated with the appearance (perception or reality) of political interference

In Alberta, urban municipalities with populations of more than 5,000 persons must provide for their own municipal policing. In this respect, they have the option of contracting with Canada for the services of the RCMP. If a municipality chooses to contract its municipal service as the RCMP, it signs a Municipal Police Service Agreement (MPSA) with the federal government, which provides the services of the RCMP. Under this agreement, the cost of policing is shared between the municipality and the federal government (70/30 percent respectively, until a population threshold of 15,000 is reached at which point the cost share moves to 90/10). The operations of the RCMP are governed by the *RCMP Act* and are subject to the contractual agreements between the various levels of government.

Policing committees do have a voice and a responsibility to represent their communities, and many have established excellent working relationships with local RCMP Detachments and their staff. These efforts are to be commended and encouraged.

#### 1. Participate in the *Roles and Responsibilities of Policing Oversight Committee Members* Training

JSG offers orientation training, at no cost, that covers the key duties of committee members and encourage all new members to attend within the first year of tenure. The training highlights:

- the history of governance and oversight in Canada;
- a governance model;

- the roles and responsibilities of a policing committee and its members;
- an overview of policing in the province; and
- a review of key legislation influencing the policing committee.

Costs to the participant for orientation training are travel, accommodation and meals which may be covered by your policing committee. This learning opportunity will be advertised in the AAPG newsletter and the quarterly newsletter from JSG. For additional information contact the Manager of Policing Oversight and Funding Programs with JSG. Contact information is provided at the end of this handbook.

## 2. Review the Alberta *Police Act* and your local Policing Committee Bylaw

Sections 23(14) and 28.1(1-3) of Alberta's [\*Police Act\*](#) refer to policing committees (see key sections in Appendix A). The policing committee shall, with respect to the municipality for which it is established:

- (a) oversee the administration of the municipal police service agreement made with the federal government for services from the RCMP;
- (b) assist in selecting the officer in charge (OIC)<sup>1</sup>;
- (c) represent the interests of the council to the OIC;
- (d) in consultation with the OIC, develop a yearly plan of priorities and strategies for municipal policing;
- (e) issue instructions to the OIC respecting the implementation and operation of the yearly plan<sup>2</sup>;
- (f) represent the interests and concerns of the public to the OIC;
- (g) assist the OIC in resolving public complaints; and
- (h) appoint a Public Complaint Director.

**Note:** As long as a policing committee and its members act according to their legislated authority, municipal council will indemnify the policing committee.

The *Police Act* states that a council that establishes a policing committee shall prescribe the rules governing its operation, as well as select and appoint its members. The process generally used to establish the policing committee is for council to move or resolve to form a policing committee. The resolution is then enacted by creating a corresponding bylaw. The bylaw must be in accordance with the *Police Act* and will be tailored to the individual nature of the municipality. A policing committee policy manual will further establish the "rules" by which the policing committee operates.

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<sup>1</sup> OIC refers to the Officer in Charge of the municipal RCMP Detachment. This individual could be a non-commissioned officer (a sergeant or staff sergeant) or a commissioned officer (inspector or superintendent). Currently, municipalities can participate in structured interviews for municipal detachment commanders at the staff sergeant level. The municipal must request interviews and have the discretion to appoint a panel member.

<sup>2</sup> "Issue instructions" refers to the ability for policing committees to work collaboratively with the OIC on the yearly plan. The manner in which day to day operations of a detachment are conducted remains the responsibility of the OIC of the police service.

**Note:** While the *Police Act* pertains strictly to policing, some policing committees also work with municipal enforcement or peace officers. The formal or informal reporting relationship between the committee and municipal enforcement should be clarified for the benefit of all parties in the bylaw. For example, does the committee have the authority to provide direction to the peace officers or do they report through the CAO? Even if municipal enforcement does not report through the policing committee, it can be valuable to include municipal enforcement in the strategic planning process. It can also be useful to determine exactly what information the committee would like to receive from municipal enforcement in order to better understand the broader law enforcement dynamic, the interaction between agencies, and the best use of law enforcement resources within its community.

### **3. Create and Continually Update your Policing Committee Policy Manual**

Every policing committee should have a policy manual that delineates the general structure and function of the organization. Such policy will help ensure the committee is operating in an ethical, informed, transparent and timely manner.

A sample policy manual template has been developed by JSG and is available electronically upon request. The policy manual will clarify such things as:

- Selection and appointment of policing committee members;
- Policing committee responsibilities;
- How and when policy should be reviewed;
- Expected policing committee member conduct;
- Dealing with conflict of interest;
- How the committee works to orient and train new members;
- Roles and responsibilities of the Chair and Vice-Chair;
- Role of the local Public Complaint Director and the role of the committee regarding complaints against the police;
- The nature and frequency of committee meetings and who attends;
- How information is communicated internally and externally; and
- The expectations of the Policing Committee's Annual Plan.

Committee members are advised to pay attention to the sections on behavioral expectations for committee members and conflict of interest (see Appendix B).

### **4. Represent the Interests of the Community**

In order for a policing committee to perform its function effectively, it must continually represent the interests of the community. Committee members must ensure that the community is at the heart of the mission, vision and values of your policing committee and any action proposed or undertaken. To this end, committee members must create as many opportunities as possible for two-way communication with a cross-section of the community they represent. There are many ways to accomplish this, such as:

- Policing committee meetings advertised and open to the public;

- Private and published mailing address and phone number;
- Contact information for the Chair and the Public Complaint Director;
- Members representing the policing committee at public/community events;
- Information pamphlets on policing priorities and the public complaint process;
- Citizen surveys; and
- Hosting or sponsoring community events related to public safety.

## **5. Contribute to the RCMP Annual Plans and Priorities Document**

As directed by the Municipal Police Service Agreement, the Chief Executive Officer (Mayor or other head of the municipality, however designated) may set objectives, priorities and goals for the Municipal Police Service which are not inconsistent with those of the provincial Minister for policing in the Province. Where a policing committee has been established, it will work with the officer in charge (OIC) to determine the annual plans and priorities for policing in the community. The Chair of the policing committee together with the OIC presents the annual plans and priorities to mayor and council.

Good governance has been described as “nose in / fingers out”, meaning that it is appropriate for committee members to seek answers to questions about how well police are serving the community while leaving the day-to-day management of the police service to the OIC.

The annual planning process should be collaborative between the policing committee and the RCMP Detachment. This provides more structure and focus to the expectations of both. It also allows for future planning (i.e. industrial expansion) and provides a vehicle for evaluation. The following are examples of the types of governance questions that could be a part of developing and reviewing the police service annual plan and priorities for policing:

- Does the annual plan serve the community well?
- What more does the community need from police?
- What are the community policing strengths, weaknesses, opportunities, threats?
- Was the previous annual plan followed; were targets met and, if not, why not?
- What systemic management or personnel issues need to be addressed?
- What other resources does the OIC require?
- How well is the OIC collaborating with other agencies in order to get best results for the community?
- What efficiencies can be achieved, e.g. through technology, contracting services, training?
- What urgent needs have arisen that were not considered in the budget?
- How can the community tap into other resources for policing, e.g. grants for crime prevention?
- What has the OIC done to identify, assess, prioritize, manage, and monitor risk?
- What resources does the OIC need in order to better manage risk in the future?

## **6. Prepare and Review the Policing Committee Annual Plan**

Similar to the police service annual plan, policing committees should prepare a plan outlining their own activities and objectives for the year. As the policing committee is responsible to the public, the policing committee's annual plan must be created with input from its stakeholders and the committee must report at least annually to the public on the committee's progress and achievements as set out in the annual plan.

## **7. Be Prepared for and Participate in Committee Meetings**

In order to meet legislated responsibilities, a committee must meet regularly on its own, with the OIC, and with other stakeholders to address issues and/or priorities related to policing in the community.

For regular meetings, pre-reading material should be sent to members well in advance of committee meetings in order for members to be prepared to discuss the information during the meeting. As a result of informed discussion, a committee will then determine what course of action is appropriate in order to accomplish its goals and then take steps to effect those goals.

Effective policing committees will meet with council and other community leaders, police agencies, peace officers, and special interest groups, and will garner perspective by reviewing research, reports from police, reports from external agencies, benchmarking with other municipalities, and surveys.

## **8. Appoint and Support a Public Complaint Director**

Two of the committee responsibilities set out in the *Police Act* are to appoint a Public Complaint Director (PCD) and to assist the OIC in resolving public complaints.

Before appointing a PCD, the committee should consider how their PCD can best serve the community and what skills and training the PCD needs in order to perform that function well.

**Note:** JSG provides PCD-specific training as well as PCD meetings at least twice a year to share experiences, best practices, etc.

The PCD is best served by an independent citizen, however, it may be a municipal employee whose role is limited to providing an avenue of information for the public regarding the process of filing a complaint against the police service. If comfortable in the role and with the support of the OIC, the PCD could informally resolve complaints that are at the low end of the spectrum.

As many small communities receive a low number of complaints, these communities may wish to consider appointing a regional PCD that serves more than one community, (*Police Act* Section 28.2)

Once a PCD is appointed, the committee will also need to consider a communications plan – informing the public on the role of the PCD and how to file a complaint against the police service.

Committees should receive regular reports from the PCD on the number of complaints received (identifying/personal information may not be shared with the committee due to confidentiality) and what trends, if any, are being observed from these complaints.

With respect to very minor complaints that can be resolved informally, the committee should discuss with the OIC what was learned in the complaints process. For complaints that must be referred to the Commission for Public Complaints about the RCMP, the PCD should follow-up on the result of the investigation and report to the committee on how it was resolved. For all complaints, the committee may request the OIC determine what systemic problems, if any, were identified and prepare a plan to correct those problems, as appropriate.

## **9. Seek out More and Relevant Information**

- Read up on board governance to become a more effective committee member
- Read your RCMP Municipal Police Service Agreement
- Talk to policing committee members in other communities
- Talk to members of your community
- Visit recommended websites regarding governance, oversight and the RCMP
  - [https://www.solgps.alberta.ca/programs\\_and\\_services/public\\_security/law\\_enforcement\\_oversight/policing\\_oversight\\_complaints/Pages/default.aspx](https://www.solgps.alberta.ca/programs_and_services/public_security/law_enforcement_oversight/policing_oversight_complaints/Pages/default.aspx)
  - <http://www.cacole.ca/home-accueil-eng.shtml>
  - <http://www.capb.ca/Home>
  - <http://www.nacole.org/>
- Stay in tune with local/provincial news reports regarding policing incidents
- Review *the Alberta Police Act*
  - <http://www.canlii.org/en/ab/laws/stat/rsa-2000-c-p-17/latest/rsa-2000-c-p-17.html>
- Look at the *RCMP Act*
  - <http://laws.justice.gc.ca/en/R-10/index.html>
- Review the Solicitor General and Public Security website
  - <http://justice.alberta.ca/jsg/Pages/default.aspx>

## **10. Attend Additional Training and Events**

- Become a member of and participate in the Alberta Association of Police Governance
  - <http://www.aapg.ca/AAPG/Home.html>
  - Attend the annual AGM and Conference held each spring
  - Become involved in the direction of the provincial organization
  - Submit one or more resolution for consideration

- Seek out other training opportunities
  - Suggest training topics to JSG and AAPG
  - Watch for training announcements in AAPG and JSG newsletters
  - Seek relevant training in the community (e.g. Community Spirit Volunteer Sessions, tour the RCMP detachment and local court)

#### Contact Information

Karyn Popplestone, Manager  
Policing Oversight and Funding Programs  
Public Security Division  
Justice and Solicitor General  
780-415-8333 (office)  
[karyn.popplestone@gov.ab.ca](mailto:karyn.popplestone@gov.ab.ca)

Michael Flynn  
Executive Director  
Alberta Association of Police Governance  
587-892-7874  
[admin@aapg.ca](mailto:admin@aapg.ca)

## **APPENDIX A**

### **Alberta Police Act – Key Sections Pertaining to RCMP Policing Committees**

#### **Policing committees**

23(1) In this section, “officer in charge” means the officer in charge of the unit of the police service that is providing policing services to a municipality under section 22.

(2) A council that has entered into an agreement under section 22 may establish a policing committee.

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(5) If

(a) 4 or fewer members are appointed under subsection (3), one of them may be a member of the council or an employee of the municipality, or

(b) 5 or more members are appointed under subsection (3), 2 of them may be members of the council or employees of the municipality.

(6) The council may provide for the payment of reasonable remuneration or of a gratuity or allowance to members of the policing committee.

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(a) 3 years, or

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  - (c) represent the interests of the council to the officer in charge,
  - (d) in consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing,
  - (e) issue instructions to the officer in charge respecting the implementation and operation of the yearly plan,
  - (f) represent the interests and concerns of the public to the officer in charge,
  - (g) assist the officer in charge in resolving complaints, and
  - (h) appoint a Public Complaint Director.

(15) All persons appointed to a policing committee shall take the oath set out in Schedule 2.

RSA 2000 cP-17 s23;2005 c31 s12;2010 c21 s7

### **Public Complaint Director**

28.1(1) Each commission and policing committee shall designate a person as a Public Complaint Director.

(2) The Public Complaint Director may be

- (a) a member of the commission or policing committee other than a member of the council,
- (b) an employee of the commission or policing committee,
- (c) an employee of the municipality,
- (d) another person, other than a member of the council, who in the opinion of the commission or policing committee is qualified to serve in that capacity, or
- (e) a former police officer if the position of Public Complaint Director is not in the same municipality where the former police officer was employed.

(2.1) The Public Complaint Director shall not be a currently serving police officer.

(3) The Public Complaint Director shall

- (a) receive complaints against police officers from the public and refer them to the chief of police under section 43(1),
- (b) act as a liaison between the commission, policing committee, the chief of police, the officer in charge of a police service and the complainant as applicable,
- (c) perform the duties assigned by the commission or policing committee in regard to complaints,
- (d) review the investigation conducted in respect of a complaint during the course of the investigation and at the conclusion of the investigation,
- (e) offer an alternative dispute resolution process where, in the Public Complaint Director's opinion, that may be an appropriate manner in which to resolve the complaint,

- (f) if an alternative dispute resolution process is offered under clause (e), review the manner in which the alternative dispute resolution process is delivered, and
- (g) provide reports to the commission or policing committee, as required by the commission or policing committee.

2005 c31 s15;2010 c21 s9

### **Serious incidents and complaints**

**46.1(1)** The chief of police shall as soon as practicable notify the commission and the Minister where

- (a) an incident occurs involving serious injury to or the death of any person that may have resulted from the actions of a police officer, or
- (b) a complaint is made alleging that
  - (i) serious injury to or the death of any person may have resulted from the actions of a police officer, or
  - (ii) there is any matter of a serious or sensitive nature related to the actions of a police officer.

2005 c31 s23;2005 c43 s8;2007 c6 s2

### **Complaints re RCMP**

**49** ... any complaints in Alberta with respect to members of the Royal Canadian Mounted Police shall be resolved in accordance with the laws governing complaints and discipline within the Royal Canadian Mounted Police.

1988 cP-12.01 s49;1995 c23 s17

## APPENDIX B

### Conflict of Interest Self-Check

The following are seven categories of potential conflict of interest situations from Ken Kernaghan and John Langford in their book, *The Responsible Public Servant*:

**[1] Self-dealing.** For example, you work for government and use your official position to secure a contract for a private consulting company you own. Another instance is using your government position to get a summer job for your daughter.

**[2] Accepting benefits.** Bribery is one example; substantial [non token] gifts are another. For example, you are the purchasing agent for your department and you accept a case of liquor from a major supplier.

**[3] Influence peddling.** Here, the professional solicits benefits in exchange for using her influence to unfairly advance the interests of a particular party.

**[4] Using your employer's property for private advantage.** This could be as blatant as stealing office supplies for home use. Or it might be a bit more subtle, say, using software which is licensed to your employer for private consulting work of your own. In the first case, the employer's permission eliminates the conflict; while in the second, it doesn't.

**[5] Using confidential information.** While working for a private client, you learn that the client is planning to buy land in your region. You quickly rush out and buy the land in your wife's name.

**[6] Outside employment or moonlighting.** An example would be setting up a business on the side that is in direct competition with your employer. Another case would be taking on so many outside clients that you don't have the time and energy to devote to your regular employer. In combination with [3] influence peddling, it might be that a professional employed in the public service sells private consulting services to an individual with the assurance that they will secure benefits from government: "If you use my company, I am sure that you will pass the environmental review."

**[7] Post-employment.** Here a dicey situation can be one in which a person who resigns from public or private employment and goes into business in the same area. For example, a former public servant sets up a practice lobbying the former department in which she was employed.

McDonald, M. (2007). Ethics and Conflict of Interest. Retrieved October 20, 2008 from

## 4.3 Complaint Resolution Guide

Government of Alberta ■

Justice and Solicitor General

### HOW TO RESOLVE A COMPLAINT AGAINST THE RCMP IN ALBERTA

Policing is a public service and citizens have a right to fair and equitable treatment from the police. Police realize that they must maintain a high level of public support in order to carry out their duties. Although police services strive for a high degree of professionalism, there will be times when citizens feel they have not been treated fairly or equitably by a police officer and desire to lodge a complaint concerning the conduct of members in relation to the performance of their duties.

#### RCMP (RCMP Act of Canada) COMPLAINT & REVIEW PROCESS

##### COMPLAINT PROCEDURE

###### 1. Options for Filing a Complaint

You may file your complaint via any one of the following methods:

- Bring your inquiry, concerns or complaint to your local municipal offices and speak with the Public Complaint Director from the municipal policing committee (if one has been established) to informally resolve your concerns or file a formal complaint.
- Bring your concerns or complaint to the attention of the local Detachment Commander for informal resolution.
- Address your complaint in writing to the Commanding Officer, RCMP "K" Division:

Commanding Officer  
RCMP "K" Division  
11140 – 109 Street  
Edmonton, Alberta T5G 2T4

- Address your complaint via email to [PPCD@gov.ab.ca](mailto:PPCD@gov.ab.ca) to the Provincial Public Complaint Director or in writing as follows:

Provincial Public Complaint Director  
Law Enforcement and Oversight Branch  
Alberta Justice and Solicitor General  
Public Security Division  
10<sup>th</sup> Floor, 10365-97 Street  
Edmonton, Alberta T5J 3W7

- Address your complaint in writing to the Civilian Review and Complaints Commission for the RCMP (CRCC):  
Civilian Review and Complaints Commission for the RCMP  
PO Box 1722, Station B  
Ottawa, Ontario K1P 0B3

Telephone: 1-800-665-6878  
[www.crcc-ccetp.gc.ca](http://www.crcc-ccetp.gc.ca)

*(Note: Should you choose to send your complaint to the CRCC, you should be aware that it will be forwarded back to the Commanding Officer, RCMP "K" Division for initial investigation)*

###### 2. Provide Details

Your complaint should be in writing and must contain the reasons for your complaint and the details of the incident involved or the aspect of service delivery you find unsatisfactory.

###### 3. Investigation of Complaint related to the on-duty conduct of a member of the RCMP:

Upon receipt of your complaint, you will be given written acknowledgement that your complaint has been received. An RCMP member will investigate the complaint. When the investigation is complete, it will be reviewed by the Commanding Officer, RCMP "K" Division, who will decide what action, if any, will be taken. You will be informed, in writing, of the results of the investigation with a summary of any action that has been or will be taken.

##### APPEAL PROCEDURE

###### 4. Civilian Review and Complaints Commission for the RCMP (CRCC)

If you are not satisfied with the decision on your complaint, you may request the Civilian Review and Complaints Commission for the RCMP to review it. The CRCC is an independent body created by Parliament to ensure that complaints against the RCMP are examined impartially. The review may involve further investigation or a public hearing. Upon completion of the review, the Commission will advise you of its findings and recommendations.

Address Review/Appeal Correspondence to:  
Civilian Review and Complaints Commission for the RCMP  
PO Box 1722, Station B  
Ottawa, Ontario K1P 0B3  
Telephone: 1-800-267-6637

###### 5. Appeal Hearing

Where the Civilian Review and Complaints Commission for the RCMP holds a hearing it is normally held in public and in the community where the complaint incident arose, if convenient to all parties. After the hearing the Commission prepares a report with non-binding findings and recommendations.

###### For additional information contact:

Law Enforcement and Oversight Branch, Public Security Division  
Justice and Solicitor General Ministry  
10<sup>th</sup> Floor, J.E. Brownlee Building  
10365-97 Street  
Edmonton, Alberta T5J 3W7  
Tel 780/427-3457 Fax 780/427-5916

Updated: January 2016

#### **4.4 Town of Canmore Policy 406-2010 - “Employee Code of Conduct”**

*This is extracted from the Town of Canmore Policy 406-2010 – Employee Code of Conduct.*

*This policy is also applicable for Policing Committee Members.*

##### **Gifts and Hospitality**

Employees shall not accept gifts, favours, or services that are connected directly or indirectly with the performance of their civic duties from any individual or organization other than:

- the normal exchange of hospitality among persons doing business (e.g. event tickets, lunch);
- tokens exchanges as part of protocol or festivities (e.g.; charitable golf tournament); or
- normal presentations made to persons participating in public functions.

If unsure of the appropriateness of a gift, Employees should see their Service Area Manager, Manager of Human Resources, DCAO or CAO for clarification

## 4.5 Town of Canmore Bylaw 2015-24



### BYLAW 2015-24

#### **A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING A POLICING COMMITTEE**

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WHEREAS The Alberta *Police Act* R.S.A. 2000, c. P-17 as amended or repealed and replaced from time to time, provides that a municipality which has entered into an Agreement with the Government of Canada for the provision of policing services by the Royal Canadian Mounted Police (RCMP) may, by bylaw, establish a Policing Committee;

AND WHEREAS the Policing Committee was established in September 2009 by Bylaw 05-2009;

NOW THEREFORE the Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

#### **1: TITLE**

- 1.1. This bylaw shall be known as the "Policing Committee Bylaw."

#### **2: PURPOSE**

- 2.1. The overall purpose of the Policing Committee is to act as a liaison between Council, the RCMP detachment and the citizens of Canmore to contribute to the goal of "Canmore is a safe community".

#### **3: INTERPRETATION**

- 3.1. In this bylaw, "committee" means Policing Committee;
- 3.2. Where a bylaw references a Town staff position or department, the reference is deemed to be to the current name that the staff position or department.

#### **4: AUTHORITY**

- 4.1. In addition to performing the functions set out in the *Province of Alberta Police Act*, as amended, the committee shall:
- a) submit an annual plan of policing priorities to Council for information;
  - b) submit an annual report to Council that includes but is not limited to:
    - i) membership of the committee;
    - ii) committee activities and highlights; and
    - iii) number of complaints received regarding the RCMP by the public complaints director;

Bylaw approved by: \_\_\_\_\_

- c) submit annual recommendations to Council respecting the following operating budget items:
  - i) number of municipal RCMP officers; and
  - ii) the enhanced policing budget; and
- d) Act on any matter referred to the committee by Council resolution.

**5: MEMBERSHIP AND TERM**

- 5.1. The committee shall consist of a minimum of five and a maximum of seven voting members as follows:
  - a) one member of Council; and
  - b) a minimum of four and a maximum of six public members.
- 5.2. The committee shall include two non-voting members as follows:
  - a) the officer in charge of the Canmore RCMP, or designate; and
  - b) the Town's chief administrative officer, or designate.
- 5.3. Council shall appoint public members and the Council member at Council's annual organizational meeting.
- 5.4. The term of membership for public members shall be two years, beginning on the date following Council's annual organizational meeting and terminating on the date of annual organizational meeting two years later.
- 5.5. The number of consecutive terms served by a public member shall not exceed ten years.

**6: ELIGIBILITY**

- 6.1. To be eligible for public membership on the committee, a person must:
  - a) be a Canadian citizen or landed immigrant;
  - b) be a resident of Canmore;
  - c) be at least eighteen years of age; and
  - d) be free of convictions under the Criminal Code of Canada.
- 6.2. Notwithstanding section 6.1(c), a person who is at least sixteen years of age is eligible for public membership on the committee provided that person is the only appointee who does not meet the age requirement of 6.1(c).

Bylaw approved by: \_\_\_\_\_

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- 6.3. Employees of the Department of Justice and Solicitor General of Alberta, the RCMP, and the Town of Canmore bylaw services department are not eligible to be voting members on the committee.
- 6.4. A public member is not eligible for continuing a term on the committee and/or for reapplying for the next subsequent term on that committee if the public member:
  - a) fails to attend three consecutive meetings of the committee, unless that absence is caused through illness or is authorized in advance by resolution of the committee;
  - b) fails to keep the Oath of Office, or discloses any information that jeopardizes a police operation, or police/public safety, or the confidentiality associated with the nature of policing including personnel, conduct, contracts with the RCMP and security of police operations; or
  - c) ceases to meet the eligibility requirements set out in this bylaw.

**7: RESIGNATIONS AND REMOVALS**

- 7.1. Any public member may resign from the committee at any time by sending written notice to the committee chair.
- 7.2. If a vacancy occurs before Council's annual organizational meeting, Council may appoint a replacement for the remainder of the term.

**8: MEETING PROCEDURES**

- 8.1. Quorum shall be a simple majority of voting members.
- 8.2. The committee shall hold a minimum of four regular meetings per year according to a schedule approved by the voting members.
- 8.3. The committee chair is authorized to call special meetings if members and the public are provided with a minimum notice of twenty-four hours.
- 8.4. Voting members shall designate a committee public member as the public complaint director at the first regular meeting following Council's annual organizational meeting.
- 8.5. Committee recommendations to Council shall be made by motion.
- 8.6. Notice of a committee meeting is deemed to have been given to the public when the time, date, and location of the meeting has been:
  - a) advertised for at least one week in a local newspaper, or
  - b) posted on the Town's website for a minimum of 24 hours prior to the meeting.

Bylaw approved by: \_\_\_\_\_

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**9: MEETING RECORDS**

- 9.1. Agendas shall be made available to committee members at least three days prior to a meeting, and made available to the public at least one day prior to a meeting.
- 9.2. Minutes shall be prepared for every committee meeting and contain the following:
  - a) the date, time and location of the meeting;
  - b) the names of all committee members present;
  - c) the name of anyone other than a committee member who participated in the meeting; and
  - d) any motions made at the meeting, along with the results of the vote on the motion.
- 9.3. Minutes may, at the discretion of the members, include action items agreed upon by unanimous consent, including, but not limited to, action items accepted by individual committee members.
- 9.4. Questions and debate shall not be recorded in committee minutes.

**10: Conflict of Interest**

- 10.1. No member shall participate in any discussion nor vote upon any matter that may involve a pecuniary interest as defined in the *Municipal Government Act*.
- 10.2. Members of the committee shall not be held liable for any actions or claims or claims arising out of the exercise of the powers granted to the committee pursuant to this bylaw.

**11: ENACTMENT/TRANSITION**

- 11.1. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 11.2. Bylaw 05-2009 is repealed.
- 11.3. This bylaw comes into force on the date it is passed.

FIRST READING: December 15, 2015

SECOND READING: December 15, 2015

THIRD READING: December 15, 2015

Bylaw approved by: \_\_\_\_\_

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Note: Page 5 (not shown) of the Bylaw only contains signatures

## **4.6 Municipal Policing Services Agreement (MPSA)**

The MPSA is available in a separate document upon request.