

**ALBERTA POLICING  
OVERSIGHT STANDARDS  
FOR  
POLICING COMMITTEES**

Alberta Justice and  
Solicitor General  
August 2016

# Alberta Policing Oversight Standards

---

## Policing Oversight: Standards

**Branch:** Law Enforcement and Oversight, Policing Oversight and Funding Section and Policing Standards and Audits Section.

**Product/Process:** Police oversight; policy and procedure development; risk management; audit

---

## Prepared By

Document Owner(s)	Organization Role
Policing Oversight and Funding Section (POF)	Owner / Lead
Policing Standards and Audits Section (PSAS)	Subject matter expert: Auditing
Policing committee Subject Matter Experts (SME)	Subject matter expert: Oversight Committee Member

## Guidelines Version Control

Version	Date	Author	Change Description
0.0	2012	POF	Document created for police commissions
1.0	2014	POF / SME	Edits completed to be more relevant for committees
2.0	2015	POF / SME	Added a Standard relating to the Municipal Police Service Agreement (MPSA) Articles 7 and 8
3.0	2016	POF / SME	Further edits from AAPG for better clarification

## Table of Contents

<b>I.</b>	Table of Contents .....	2
<b>II.</b>	<b>POLICING OVERSIGHT STANDARDS</b> .....	3
<b>III.</b>	<b>LEGISLATIVE FRAMEWORK</b> .....	5
<b>IV.</b>	<b>OVERSIGHT OF POLICE SERVICES</b> .....	6
<b>Part I Roles and Responsibilities (RR)</b>		9
	RR.1 – ESTABLISHING A POLICING COMMITTEE	10
	RR.1.1 Policing Committee .....	10
	RR.2 – SELECTING AND APPOINTING POLICING COMMITTEE MEMBERS	12
	RR 2.1 Cultural diversity .....	12
	RR 2.2 Informing applicants .....	12
	RR 2.3 Security checks .....	12
	RR 2.4 Oath of office.....	13
	RR.3 – POLICING COMMITTEE ROLE	14
	RR 3.1 Policing Committee Responsibilities.....	14
	RR 3.2 Member Contact Information .....	15
	RR.4 – MUNICIPAL POLICE SERVICE AGREEMENT (MPSA)	16
	RR 4.1 Delegation of Responsibilities to the Policing Committee.....	16
<b>Part II Personnel Administration (PA)</b>		17
	PA.1 – EDUCATION AND TRAINING POLICING COMMITTEE MEMBERS	18
	PA 1.1 Member Education and Training .....	18
	PA.2 – Policing Committee - Public Complaint Director	19
	PA 2.1 Administering public complaints.....	19
	PA 2.2 Processes to receive and refer complaints .....	19
	PA 2.3 Access to complaints related information.....	20
	PA 2.4 Complaint statistics and reporting .....	20
<b>Part III Organizational Management (OM)</b>		21
	OM.1 - POLICING COMMITTEE STRUCTURE AND ADMINISTRATION	22
	OM 1.1 Policies and procedures manual .....	22
	OM.2 – POLICING COMMITTEE INFORMING STAKEHOLDERS	23
	OM 2.1 Announcing public meetings .....	23
	OM 2.2 Access to meeting records .....	23
	OM.3 – RECORDS MANAGEMENT OF THE POLICING COMMITTEE	24
	OM 3.1 Responsibility for records management .....	24
	OM.4 – MEDIA RELATIONS OF THE POLICING COMMITTEE	25
	OM 4.1 Release of information .....	25
	OM.5 – PLANNING AND REPORTING OF THE POLICING COMMITTEE	26
	OM 5.1 Policing Committee planning .....	26
	OM 5.2 Policing Committee reporting .....	26
<b>V.</b>	<b>DEFINITIONS</b> .....	27

## POLICING OVERSIGHT STANDARDS

### PREAMBLE

The first section in this document relates to the municipality and not the policing committee. As defined in the *Alberta Police Act*, [Section: 23(2)] a municipality that has entered into an agreement for RCMP as their municipal police service MAY establish a policing committee (PC) through bylaw. The municipality shall appoint committee members, and prescribe the rules governing the operations of the policing committee.

### STATEMENT

Alberta Justice and Solicitor General will continually review and modify the Policing Oversight Standards (the Standards) in consultation with policing oversight agencies and the Alberta Association of Police Governance (AAPG) to ensure they reflect appropriate benchmarks.

### AUTHORITY

The Policing Oversight Standards (Standards) were created under the authority of Section 3.1 of the *Alberta Police Act (Act)*. The Standards were developed in consultation with stakeholders to facilitate the provision of adequate and effective policing through community oversight and input into local policing.

### COMPLIANCE

The Policing Standards and Audits Section (SAS) of Alberta Justice and Solicitor General will conduct compliance reviews to evaluate the structure and function of Alberta's policing oversight agencies against the Alberta Policing Oversight Standards. The SAS was created under the authority of section 3.1 of the Act and is responsible to the Director of Law Enforcement under section 8(2). Each policing oversight agency will be assessed against the Standards on a 4-year cycle.

Compliance reviews serve two purposes:

- Provide a vehicle that allows the oversight agency to demonstrate accountability to the community they serve, and;
- Promote a consistent standard of practice among oversight agencies throughout the province.

Once the standards are in place, oversight agencies will maintain a set of records—termed compliance files—that demonstrate compliance with the standards. Compliance files consist of folders that contain evidence demonstrating compliance with each standard. The required compliance is determined by the nature of the standard. For example, compliance with a standard that requires an agency to have policy related to a practice would be a file that contains a copy of the related policy document. A file that demonstrates compliance with a standard that requires an agency to produce a report (i.e.; business plan; statistical report) must contain a copy of that report.

The compliance review would include all or some of the following:

- A tour of policing committee offices (if applicable);
- An interview with the Chair and Public Complaint Director;
- Interviews with other members of the policing committee as necessary; and
- Review of documents supporting compliance such as: annual policing plan, policies and procedures manual; and police complaint reports.

## POLICING OVERSIGHT STANDARDS

Compliance reviews will be conducted by members of the Alberta Policing Standards and Audits Section and the Manager of Policing Oversight and Funding Programs. In accordance with the established review cycle, each policing committee Chair will be contacted to coordinate dates for the compliance review to take place.

Well in advance of the review date, the Manager of Policing Oversight and Funding Programs will provide the chair a detailed schedule for the review. On the day of the review, the team will meet with the chair or his/her representative to discuss any last minute issues and answer questions. During the review the team will work with the chair/representative to correct any minor issues. When complete the team will conduct an exit interview with the chair/representative to discuss the findings and any recommendations.

As soon as possible after the compliance review, the Manager of Policing Oversight and Funding Programs will forward a draft copy of the compliance report to the chair for review (accuracy). The Chair and policing committee will have an opportunity to review and provide any further feedback in response to the draft compliance report. After final edits, the Manager of Policing Oversight and Funding Programs will forward a copy of the final report to the chair indicating which standards have been met (i.e. in compliance) and those that have not been met. If necessary, the report will include plans to address any standards that have not been met as well as a schedule to re-evaluate those standards.

The final report may also include recommendations for the oversight agency to consider for future improvements and compliance.

An Oversight Standards Compliance Certificate will be presented to the policing committee when the compliance review is finalized and all outstanding matters have been complied with.

## LEGISLATIVE FRAMEWORK

### PREAMBLE

The *Canadian Charter of Rights and Freedoms* states Canada is founded upon the "rule of law" which essentially means:

- We are governed by public rules made by constitutionally authorized lawmakers;
- We recognize the processes set out in the law; and
- No one is above the law.

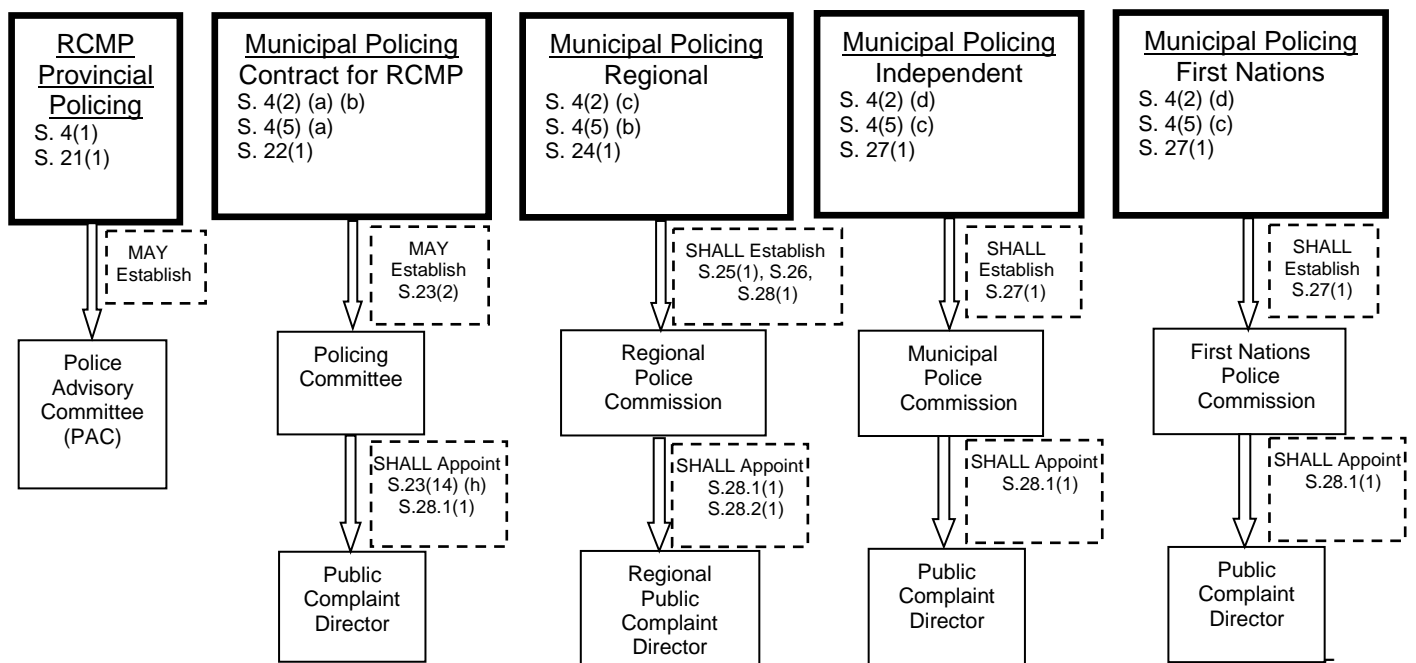
The Charter sets out a variety of legal rights, including: "Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

Under the Canadian constitution, the responsibility for enacting criminal law rests with the federal government, while responsibility for the administration of justice rests with the provinces. In conducting their duties, the police must ensure their actions are consistent with:

- The provisions of the Charter of Rights and Freedoms;
- Federal and provincial legislation;
- Any agreements governing the police service, such as the Municipal Police Service Agreement (MPSA); and
- The provisions of statutes including, for example, those related to freedom of information, protection of privacy and human rights.

### Alberta *Police Act*

The Alberta *Police Act* mandates the Government of Alberta to ensure adequate and effective policing is maintained throughout Alberta. The *Police Act* sets out requirements and responsibilities of municipalities, police services, police commissions, policing committees, and the Public Complaint Director.



## OVERSIGHT OF POLICE SERVICES

### PREAMBLE

A variety of processes are used to oversee Alberta police services. Along with legislative requirements described in the *Alberta Police Act*, a priority for the Ministry is for police organizations to have forums in place that facilitate meaningful community input into local policing needs and priorities; and that they have credible oversight mechanisms for addressing concerns regarding the conduct of personnel.

### STATEMENT

#### 1. Provincial Police Service

The Province provides policing services to every municipal district and Métis settlement, as well as towns, villages and summer villages that have populations not greater than 5,000. The Province provides this through the RCMP Provincial Police Service Agreement (PPSA). Community advisory groups for the provincial police service may be established by local council in collaboration with the Detachment Commander. These community groups will be called Police Advisory Committees (PAC's).

PAC's provide advice and input into policing priorities, keep the Detachment Commander informed of emerging trends and/or issues within the community and assists in the development of the yearly plan of priorities and strategies for local policing. PAC's do not have an oversight role and therefore not involved with handling complaints from the public.

#### 2. Municipal Police Services

Municipalities that have populations greater than 5,000 must assume responsibility for establishing and maintaining their own police service. The *Police Act* provides the following options for municipal policing:

**a) Contract Policing: Municipal Police Service Agreement (MPSA)**

A contract with the federal government for the provision of municipal policing services which typically involves entering into a contractual agreement. A municipality that has entered into an agreement with the Government of Canada to provide municipal policing by the RCMP **may** establish a policing committee.

**b) Independent Municipal Police Service**

Establish an independent municipal police service. A municipality that has established an independent municipal police service **shall** also establish a municipal police commission.

**c) Regional Police Service**

The *Police Act* allows for councils of two or more municipalities to enter into an agreement to be policed by one regional police service. Municipalities that have established a regional police service **shall** also establish a regional police commission.

#### 3. First Nations Police Services

The RCMP provides policing services to most of Alberta's First Nations communities. Some First Nations communities have, however, made other policing arrangements through agreements with the provincial and federal governments. These are typically through a Tripartite Agreement (TA) or a Community Tripartite Agreement (CTA).

## POLICING OVERSIGHT STANDARDS

- A Tripartite Agreement (TA) is between Canada, Alberta, and the First Nation permitting the creation of an independent First Nation police service operating only on their Nation. The independent First Nation police service shall be overseen by a First Nation police commission. The responsibilities of the commission, which are defined in the Tripartite Policing Agreement, mirror those found in the Police Act for the establishment of a municipal police commission.
- A Community Tripartite Agreement (CTA) is an agreement between Canada, Alberta, and the First Nation to provide dedicated RCMP members, devoting 100% of their working hours to the policing needs of the First Nations community they are stationed. Community Consultative Groups (CCG's) are established through the agreement for input into local policing priorities, keeping the Detachment Commander informed of emerging trends and/or issues within the community and assists in the development of the yearly plan of priorities and strategies for local policing. CCG's do not have an oversight role and therefore not involved with handling complaints from the public.

### **FEDERAL OVERSIGHT OF THE RCMP:**

The Civilian Review and Complaints Commission (CRCC) for the RCMP is an agency of the federal government, distinct and independent from the RCMP. Their Vision is "*Excellence in policing through accountability*". Their Mission is "*to enhance the accountability of the RCMP by providing civilian review of RCMP activities and member conduct*".

Parts VI and VII of the *Royal Canadian Mounted Police Act*, describes the mandate of the CRCC, as follows:

- receive complaints from the public about the conduct of RCMP members;
- conduct reviews when complainants are not satisfied with the RCMP's handling of their complaints;
- initiate complaints and investigations into RCMP conduct when it is in the public interest to do so;
- review specified activities; and
- report findings and make recommendations.

In Alberta, a person dissatisfied with the services provided and/or conduct of the RCMP can submit a formal complaint in writing to either:

1. The local Public Complaint Director (if one is in place in their community);
2. The local RCMP detachment;
3. The Alberta RCMP Headquarters (K-Division in Edmonton);
4. The Provincial Minister of Justice and Solicitor General;
5. The Provincial Public Complaint Director; or
6. The Civilian Review and Complaints Commission (CRCC)

The complaint is registered at that time and forwarded to the RCMP detachment commander of jurisdiction for action. The detachment commander will most likely talk directly with the complainant to get a better understanding of their dissatisfaction and if necessary, an investigation will be conducted. The RCMP is responsible for handling the complaint through to completion, including providing status update letters to the complainant every 30 days. A disposition letter will be provided to the complainant with details about the CRCC's review



## POLICING OVERSIGHT STANDARDS

mandate. If the complainant is still not satisfied with the way the RCMP handled their complaint, they can request a review by the CRCC.

If the complainant requests a review, the CRCC will contact the RCMP, advise it of the request for a review and request all relevant information regarding the complaint. Once all relevant material is received, a Reviewer Analyst will thoroughly review the complaint, the RCMP's response and all other relevant material such as witness statements, transcripts, police reports and notes and RCMP policies and procedures.

If the CRCC determines, after a review of all information, that the RCMP responded satisfactorily to the complaint, the complainant will receive a report stating why the CRCC considers it was dealt with properly; and that will be the final step in dealing with the complaint. If the CRCC decides that the RCMP did not deal with the complaint in a satisfactory manner, it will send an interim report to the Minister of Public Safety and Emergency Preparedness and the RCMP Commissioner.

Part I

Roles and Responsibilities (RR)

## ROLES AND RESPONSIBILITIES (RR)

### RR.1 – ESTABLISHING A POLICING COMMITTEE

#### PREAMBLE

Although the *Police Act* assigns the Minister responsibility for ensuring that policing is adequate and effective, it also requires governing/oversight bodies to oversee policing provided to their citizens. Albertans expect their police services to be responsive and accountable as well as operating with integrity, fairness and transparency.

The core principles for oversight of policing in Alberta are:

- The participation of the public in determining the priorities of the police service;
- The police service must be accountable to the public; and
- The police service must operate in the absence of political influence.

#### STATEMENT

Pursuant to the *Police Act* and to guidance provided by the Ministry of Justice and Solicitor General, local governments should establish a police oversight agency that will facilitate meaningful community input into local policing needs and provide credible mechanisms to address concerns regarding the conduct of police officers serving their local area.

The *Police Act* allows for the creation of an oversight agency based on the relationship between the local government and the means by which the police service is funded. Oversight agency types are described in the following sections of the *Act*:

- Policing Committees: Section 23(1) (RCMP as the municipal service)
- Police Commission: Sections 25(1) 27(1) and 28(1) (independent municipal police service, regional police service and First Nations police service)

#### RR.1.1 Policing Committee

Municipalities that have entered into an agreement for the provision of municipal policing services by the RCMP **may** establish, by means of a municipal bylaw, a policing committee in accordance with the provisions of the Alberta *Police Act*.

The municipal bylaw should have the following:

- a. Prescribe the rules governing the operation of the policing committee;
- b. Describe how members of the policing committee are appointed;
- c. Outline number of, and any special considerations of members (non-voting, council representatives, youth representatives, other organizations etc.);
- d. Describe the length of committee member appointments;
- e. Describe procedures for resignations and removal of members;
- f. Describe the procedure for informing the ministry when a policing committee is established and when it is dissolved;
- g. If applicable, describe how any remuneration/gratuity/allowance is provided to members of the policing committee.
- h. Guidelines for input into the selection of the Officer in Charge (OIC) / Detachment Commander.

## POLICING OVERSIGHT STANDARDS

**All persons appointed to the policing committee take the Oath (Schedule 2 found in the *Police Act*).**

Compliance: Bylaw that includes all items listed above (*a to h*), or relevant sections of the policing committee's policy.

Verification:

- Copy of signed and dated bylaw

## **RR.2 – SELECTING AND APPOINTING POLICING COMMITTEE MEMBERS**

### **PREAMBLE**

Once a municipal police service has been contracted to the RCMP, the second requirement, if Council decides, is to establish a policing committee that will oversee the local RCMP police service. To fulfill this requirement, the municipality **shall** select and appoint qualified policing committee members through a process sensitive to the principles of openness and equity. Preferably using a competency-based recommendation to Council.

### **STATEMENT**

The recruitment and appointment of committee members is the responsibility of the municipality. Evidence of recruitment notices will be found in external communications of the municipality. Appointments to the policing committee are often documented in Council minutes.

#### **RR 2.1 Cultural diversity**

The municipality shall have a selection and appointment policy in place that considers the cultural diversity of the community.

**Compliance:** Municipality's policy for recruiting and appointing volunteer committee members

**Verification:**

- Volunteer advert for committee members, pamphlet or equivalent
- Evidence of the recruitment and appointment process of committee members

#### **RR 2.2 Informing applicants**

The municipality shall, at the time of application, provide written information to applicants about the application process as well as details of the time and workload commitments required for fulfilling the duties of the policing committee position.

**Compliance:** Sample copy (or website link) of application information package or equivalent.

**Verification:**

- Evidence of the committee member application process informing applicants of time and workload commitments

#### **RR 2.3 Security checks**

The municipality shall conduct a background check/security clearance of each successful candidate (including those council-appointed members and employees of the municipality) before confirmation of his/her appointment to the policing committee, including at a minimum:

- a. Criminal record check;
- b. Reference checks;
- c. Interview of applicant (including an assessment of overall suitability);
- d. PCD shall successfully complete an RCMP Enhanced Security Clearance.

**Compliance:** Sample copy (or website link) of application information package or equivalent informing applicants of the requirement for a criminal records check.

**Verification:**

- Evidence of the completed background, security and reference checks.

## POLICING OVERSIGHT STANDARDS

- Proof of enhanced security clearance for the PCD

### **RR 2.4 Oath of office**

Pursuant to the *Police Act*, upon appointment, successful applicants shall:

- **Take the Oath of Office**

To educate new committee members, at a minimum, the following documents should be provided:

- a) The Alberta *Police Act* and the Police Service Regulation;
- b) The Municipal Policing Committee Bylaw
- c) The Municipal Police Service Agreement (MPSA);
- d) A Conduct/Ethics policy that the policing committee will follow; and
- e) The policing committee's orientation handbook, if available.

Compliance: Copy of a signed and dated Oath of Office

Verification:

- Sample copy of a policing committee members' signed and dated Oath of Office;
- Sample copy of a policing committee members' signed and dated Conduct/Ethics;
- Policing committee member orientation handbook, if available.

## **RR.3 – POLICING COMMITTEE ROLE**

### **PREAMBLE**

The delicate balance between the independence and authority of police services on one hand, and their accountability to the public and the civilian authority, on the other, is a vital part of our democratic society. Oversight and governing bodies need to strike this balance between police independence to conduct investigations and maintain order without undue political or other influence, with the need for accountability to the public.

Policing oversight agencies in Alberta are required to ensure efficient and effective policing and provide a local mechanism for receiving and monitoring public complaints against the police service.

### **STATEMENT**

This standard is intended to ensure that the role, responsibilities and expectations of the policing committee, the municipality, the municipal police service and the community are met.

### **RR 3.1 Policing Committee Responsibilities**

The policing committee shall elect, from amongst its members, a Chair and one or more Vice-Chairs. Additionally the policing committee shall, carry out its responsibilities as follows:

#### 3.1.1 Pursuant to the *Police Act*, the MPSA and the relevant Bylaw, oversight responsibilities of the policing committee include:

- a. Elect, from amongst its members, a Chair and one or more Vice Chairs (Bylaw);
- b. Oversee the administration of the policing agreement (MPSA);
- c. Assist in selecting the officer in charge;
- d. Represent the interests of the council to the officer in charge of the municipal police service;
- e. In consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing;
- f. Issue instructions to the officer in charge respecting the implementation and operation of the yearly plan;
- g. Represent the interests and concerns of the public to the officer in charge;
- h. Assist the officer in charge in resolving complaints; and
- i. Appoint a Public Complaint Director to fulfil the duties set out in the *Police Act*.

**Compliance: Policing Committee Policy and Procedures manual**

#### **Verification:**

- Documentation regarding the election of Chair and Vice Chair;
- Copy of the established policing plan of priorities;
- Evidence of consultations with the community for input into priorities;
- Policing Committee Member interviews and observation for knowledge of duties, attendance and participation in meetings, identifying community needs, bringing issues forward, understanding of policing committee goals and objectives.

POLICING OVERSIGHT STANDARDS

**RR 3.2 Member Contact Information**

For good business practice, the policing committee should maintain current membership contact information of its members. Suggested contact information as follows:

Name	Home Address	Phone Number	Email Address	Term (commencement & expiry)	Position (if held)
------	--------------	--------------	---------------	------------------------------	--------------------

Compliance: Policing Committee Policy and Procedures

Verification:

- Copy of current Policing Committee Membership list



## **RR.4 – MUNICIPAL POLICE SERVICE AGREEMENT (MPSA)**

### **PREAMBLE**

The MPSA is a contractual agreement between the local Municipality and the Federal Ministry of Public Safety and Emergency Preparedness. An MPSA outlines the duties and responsibilities of the RCMP and the municipality in financial, operational and administrative areas within the provisions of the provincial and municipal policing services. The policing committee legislated responsibilities are outlined in the Alberta *Police Act*, Section 23(14). Additionally, the Municipal Police Service Agreement, Article 7.0 – **Operation of the Municipal Police Service**, also references similar responsibilities for the CEO/Mayor, such as:

- Subsection 7.1 states that the Member in Charge will act under the direction of the CEO/Mayor, or such other person as the CEO/Mayor may designate in writing, in aiding the administration of justice and in carrying into effect the laws in force in the Province and municipality.
- Subsection 7.2 states that the Member in Charge will implement the objectives, priorities and goals as determined in the yearly plan; AND report to either the CEO/Mayor or his/her designate on the matter of law enforcement within the municipality and on the implementation of those objectives, priorities and goals.
- Subsection 7.3 states that before appointing the Member in Charge of the local detachment, the CEO/Mayor may request that the community be consulted. In this case, such consultation will be undertaken in accordance with the RCMP's Community Participation policy.
- The RCMP's Community Participation policy allows for one community representative to participate as a member of the Community Participation Interview (CPI) Committee (i.e. direct involvement).
- All expenses related to direct involvement, including the costs of the CPI, will be borne by the Municipality.

### **STATEMENT**

This standard is to ensure that the provincially legislated authority and responsibilities of the policing committee overseeing the municipal RCMP is provided by Mayor and Council to the Policing Committee as his/her designate of the MPSA.

#### **RR 4.1 Delegation of Responsibilities to the Policing Committee**

The municipality shall designate **in writing** the duties outlined in Article 7.0 and Article 8.0 of the MPSA to the policing committee.

Article 7.0: The Member in Charge of the local detachment will act under the direction of the policing committee regarding setting objectives, priorities and goals for the yearly plan of policing priorities and report on the progress and implementation of those annual objectives, priorities and goals.

Article 8.0: The Member in Charge of the local detachment will provide information / statements as may be reasonably requested from time to time, the composition of the municipal police service that show or include a current organizational chart, location and function of all Members and support staff including casual or temporary employees. As well as the number of vacancies, special leaves, backfill positions, and surplus, and an explanation of changes since the previous statement.

**Compliance: Policing Committee Bylaw, or Policy and Procedure Manual**

**Verification: Copy of the written delegation of Articles 7.0 and 8.0 of the MPSA to the Policing Committee from the CEO/Mayor**

Part II

Personnel Administration PA)

## PERSONNEL ADMINISTRATION (PA)

### PA.1 – EDUCATION AND TRAINING POLICING COMMITTEE MEMBERS

#### PREAMBLE

Policing committee members shall be supported by formal and informal education, training and professional development. This should begin on appointment and continue throughout their term.

#### STATEMENT

This standard addresses the minimum requirements for maintaining predictable and consistent competency in policing oversight in Alberta. A learning plan provides for regular education and training regarding developments in legislation and policy and should not limit any policing committee from designing, delivering or participating in enhanced learning to meet the needs of their community.

At a minimum, committee members must be familiar with the policing committee's policy manual that includes policies for the provincial oversight standards (see OM1.1).

#### PA 1.1 Member Education and Training

The policing committee shall ensure education and training is provided that meets the needs of its members. Suggested inclusions are:

- a. Orientation to policing oversight in Alberta online training program (Justice and Solicitor General)
- b. Legislated roles and responsibilities (*Police Act*)
- c. Public complaints process and reporting (the Provincial/K-Division Protocol)
- d. Provincial policing oversight standards (Justice and Solicitor General)
- e. Orientation to RCMP Professional Standards (through the Detachment Commander)

Compliance: Policing Committee learning plan or equivalent.

#### Verification:

- Sample copy of a learning plan or equivalent;
- Record of education and training completed by policing committee members;
- Policing committee member interviews and observation for knowledge of oversight duties (i.e. good understanding of the role of the policing committee, how the committee functions, and any particular functions performed)

## **PA.2 – Policing Committee - Public Complaint Director**

### **PREAMBLE**

Albertans expect equitable access to oversight mechanisms and processes that ensure timely and transparent investigation of public complaints regarding police conduct. Police services in Alberta are required to thoroughly and promptly investigate complaints relating to officer conduct, service delivery and/or police service policy. When a complaint is made, police services must ensure all affected parties are fully informed, on an ongoing basis, as to the status of the complaint investigation.

### **STATEMENT**

Oversight agencies in Alberta that are identified as either police commissions or policing committees under the *Police Act* shall appoint a **Public Complaint Director (PCD) or Regional Public Complaint Director (RPCD)** to receive complaints and monitor complaint investigations as they proceed through the complaint process. The PCD shall offer a dispute resolution process to resolve matters if, and when, appropriate.

#### **PA 2.1 Administering public complaints**

The policing committee policy for the administration and review of complaints shall comply with the Alberta *Police Act* and the Alberta Protocol to ensure the PCD meets the requirements established within the Policing Oversight Standards. In 2011, the Ministry of Justice and Solicitor General along with RCMP K-Division jointly developed the Alberta Protocol specifically for Public Complaint Directors (PCDs) in RCMP jurisdictions to assist them in processing complaints against the RCMP, following federal policies and procedures.

The PCD shall be knowledgeable about the RCMP public complaint processes and ensure the information provided by the RCMP or material approved by the Provincial Public Complaint Director to explain the RCMP complaint process is made available to the public.

#### **Compliance: Policing Committee Policy and Procedures**

##### **Verification:**

- Review of the policing committee's policy & procedure for the administration and review of public complaints (i.e. the Protocol and use of the ROCA form for submitting complaints).
- Review of the Town/City Website, pamphlets, brochures, handouts, forms etc. detailing the RCMP complaints process; if available.
- PCD interview for knowledge of the RCMP complaints process and their specific duties within that process.

#### **PA 2.2 Processes to receive and refer complaints**

The policing committee shall have clearly defined processes to receive and refer a public complaint to the RCMP for investigation. This includes consideration and offer of alternative dispute resolution (ADR) rather than a formal investigation, if and when applicable (PLEASE NOTE: both parties MUST consent to ADR).

#### **Compliance: Policing Committee Policy and Procedures**

##### **Verification:**

## POLICING OVERSIGHT STANDARDS

- Review of the policing committee's policy & procedure for the administration and review of public complaints (i.e. the Protocol and use of the ROCA form for submitting complaints).
- Sample copy of the RCMP Record of Complaint or Advice (ROCA) form;
- PCD interview for knowledge of the RCMP complaints process and the ADR process (if considered and used).

### **PA 2.3 Access to complaints related information**

The PCD shall collaborate with the Detachment Commander or designate for access to RCMP complaint records (detachment-specific only). Records shall include, but are not limited to, the following information:

- a. Pertinent dates,
- b. Timelines,
- c. Allegations,
- d. Findings,
- e. Dispositions, and
- f. Status of all complaints received at the detachment level, whether brought directly to the PCD or arriving through the detachment, K-Division or the Civilian Review and Complaints Commission (CRCC).

#### Compliance: Policing Committee Policy and Procedures

##### Verification:

- Evidence that the PCD has access to a summary report of all public complaints received regarding their local RCMP detachment.
- Evidence of an organized system for tracking/monitoring public complaints.

### **PA 2.4 Complaint statistics and reporting**

In partnership with the Detachment Commander, the PCD shall submit a monthly summary report to the policing committee of public complaints and their current status (i.e. public complaints received directly by the PCD or by another mechanism). The policing committee along with the Detachment Commander shall provide an annual report of public complaints relating to their local detachment to their municipal council and to the public.

#### Compliance: Policing Committee Policy and Procedures for handling complaints

##### Verification:

- Evidence that the PCD has access to a summary report of all public complaints received regarding their RCMP detachment.
- Evidence that complaint report(s) are provided to the policing committee on a regular basis;
- Evidence that complaint statistics have been submitted to the municipality and made available to the public.

Part III

Organizational Management (OM)

## **ORGANIZATIONAL MANAGEMENT (OM)**

### **OM.1 - POLICING COMMITTEE STRUCTURE AND ADMINISTRATION**

#### **PREAMBLE**

The policing committee shall operate efficiently and effectively and in the best interests of the community it represents. All members and personnel must have a clear understanding of their authority in carrying out their duties in accordance with legislation, regulations, written policy, and procedures.

#### **STATEMENT**

These standards are intended to ensure the policing committee establishes a formal structure to organize, define, direct and coordinate its responsibilities.

#### **OM 1.1 Policies and procedures manual**

The policing committee shall have a written policy and procedures manual addressing provincial oversight standards that includes, at a minimum, the following sections:

- |  |   |
|--|---|
| a. Intent of the Policy/Procedural Manual                      | f. Education and Training of New policing committee members |
| b. Legislative Obligations of the Policing committee           | g. Public Complaints Process                                |
| c. Role and Responsibilities of Oversight Members              | h. Conduct/Ethics and Conflict of Interest                  |
| d. Roles and Responsibilities of Chair and Vice-Chair          | i. Oversight Member Remuneration (if any)                   |
| e. Roles and Responsibilities of the Public Complaint Director | j. Communication and Media Relations                        |

**It is expected that the policy and procedures manual be kept up-to-date.**

**Compliance: Policing Committee Policy and Procedure Manual**

**Verification:**

- **Review of the policy and procedure manual with indication of an update review within the last 3 years.**

## **OM.2 – POLICING COMMITTEE INFORMING STAKEHOLDERS**

### **OM 2.1 Announcing public meetings**

The policing committee shall make available to the public a meeting schedule, clearly identifying where and when open policing committee meetings will take place.

**Compliance: Policing Committee Policy and Procedures**

**Verification:**

- Evidence that the policing committee's meeting schedule has been communicated to the public (i.e. website, pamphlets, notice boards or equivalent)

### **OM 2.2 Access to meeting records**

The policing committee shall make available to the public (respecting *Freedom of Information and Protection of Privacy* guidelines) records of open meetings including:

- a. Agenda;
- b. Minutes; and
- c. Supplementary material from the meeting (non-confidential).

**Compliance: Policing Committee Policy and Procedures**

**Verification:**

- Evidence that the above documents are made available to the public (i.e. via a website or equivalent)



## **OM.3 – RECORDS MANAGEMENT OF THE POLICING COMMITTEE**

### **PREAMBLE**

To meet management and information needs, the policing committee must ensure a system is in place for keeping records organized and easily retrievable. Privacy and security precautions shall be in accordance with any relevant policy and/or relevant legislation (i.e. FOIP and Records Management).

### **STATEMENT**

The records management system shall be designed to ensure access to the records as well as proper control, storage, retrieval, security and disposition of records.

### **OM 3.1 Responsibility for records management**

The policing committee shall have written policies that address responsibility and procedures for the records management function within their control.

PLEASE NOTE: Most likely, the policing committee will use the Town/City's Administration office to maintain all of its records in accordance with relevant legislation and policies.

**Compliance: Policing Committee Policy and Procedures**

**Verification:**

- Observation of the policing committee's (Town/City) records management system for:
  - All records are indexed for quick retrieval;
  - All records have schedules for retention and disposition;
  - All records are securely filed and adhere to *Freedom of Information and Protection of Privacy Act*.

## **OM.4 – MEDIA RELATIONS OF THE POLICING COMMITTEE**

### **PREAMBLE**

The policing committee should have a positive and open working relationship with the news media.

### **STATEMENT**

Guidelines are needed to ensure a balance between the public's right to be informed and the police service's need to manage information that affects police investigations. The policing committee shall determine who is responsible for interacting with the media.

### **OM 4.1 Release of information**

The policing committee shall have a policy that governs the release of information, such as, who, what and when information can be released to the media and public.

In particular, who will talk to the media if there is a crisis or a public safety concern? (i.e. Mayor, Local RCMP Detachment Commander, Policing Committee Chair)

**Compliance: Policing Committee Policy**

**Verification:**

- **Copies of any information released publicly by the policing committee**

## **OM.5 – PLANNING AND REPORTING OF THE POLICING COMMITTEE**

### **PREAMBLE**

Planning and reporting processes are essential for effective leadership and management. The policing committee should operate openly and transparently. One way to achieve this is to have clearly written strategic goals and objectives documented in a plan, as well as mechanisms in place for reporting achievements to stakeholders.

### **STATEMENT**

It is recommended that a policing committee prepare a 3-5 year strategic plan for the proposed activities of the committee. Such plan should be established in consultation and collaboration with the municipality, stakeholders and the community. The plan should be reviewed annually by the committee and updated as appropriate. Timely and accurate information must be shared with all stakeholders, including the public, regarding the business of the policing committee and the goals set out in their plan.

### **OM 5.1 Policing Committee planning**

By way of a plan, the policing committee may set priorities for themselves, and should:

- a. Establish goals and objectives for the policing committee; and
- b. Communicate those goals and objectives to Municipal Council, the Detachment Commander and the public

**Compliance: Policing Committee Policy and Procedures**

**Verification:**

- Copy of the policing committee's plan which has been formally endorsed by the policing committee;
- Evidence that the policing committee's plan has been communicated to its stakeholders.

### **OM 5.2 Policing Committee reporting**

The policing committee should have a mechanism in place for the annual reporting of achievements to its stakeholders. The policing committee should produce an annual report of its activities and accomplishments relating to the goals in its plan.

**Compliance: Policing Committee Policy and Procedures**

**Verification:**

- Copy of the document outlining the policing committee's yearly activities and accomplishments;
- Evidence that the policing committee's yearly activities and accomplishments have been communicated to its stakeholders.

# DEFINITIONS

## **Adequate and Effective Policing:**

Adequate means policing is efficient:

- Efficient: Balancing community specified needed and desired level, and standard of service against the cost.

Effective means policing meets specified goals developed by the community and police:

- Community specified level and standard of service.

## **Community Consultative Group (CCG)**

A group of community members established in First Nation communities that have RCMP policing services to provide input into local policing priorities.

## **Compliance:**

Conformity and adherence to policies, plans, procedures, laws, regulations and contracts or other requirements.

## **CPIC:**

Canadian Police Information Centre, a nationwide computerized police information database.

## **Detachment Commander:**

The member in charge of the local detachment, similar to a chief of police. May also be called the Officer in Charge (OIC).

## **Efficient and Effective:**

Efficient: Balancing community specified needed and desired level, and standard of service against the cost.

Effective: Policing meets specified goals developed by the community and police.

## **May:**

Shall be construed as permissive and empowering (not mandatory).

## **Ministry:**

The Ministry of Alberta Justice and Solicitor General.

## **Municipal Police Service Agreement (MPSA):**

RCMP Contract Policing is provided through a Municipal Police Service Agreement (MPSA). These Agreements are negotiated between the federal government and provinces, territories and municipalities. MPSAs outline the duties and responsibilities of the RCMP in financial, operational and administrative areas within the provisions of the provincial and municipal policing services

## **Municipal District (M.D.):**

A municipal district, also called a county, is a government form in rural areas of the province.

## **Municipalities:**

A general term used in this document for all areas – Municipal District, Urban Municipality, Rural Municipality, or a Specialized Municipality.

**Officer in Charge:**

The member in charge of the local detachment, similar to a chief of police. May also be called the detachment commander.

**Oversight Agency:**

A term used in this document for all police commissions and policing committees.

**Police Advisory Committee (PAC):**

PAC,s are established to ensure community input into policing priorities is obtained and that the local police (RCMP) is responsive to the community's public safety needs.

**Police Commission:**

Provides oversight, and governs the municipal police service. Police commissions are mandated by legislation for independent municipal police services (i.e. Regional, Stand-Alone, First Nations).

**Police Service:**

A police service is any of the following:

- 1) the provincial police service (e.g. *the RCMP*).
- 2) a regional police service.
- 3) a municipal police service (e.g. *Calgary Police Service, Edmonton Police Service or under a Municipal Police Service Agreement – Fort Saskatchewan RCMP*).
- 4) a First Nation police service established under a tripartite agreement (e.g. *Blood Tribe Police Service*).

**Policing Committee:**

Established by council pursuant to the *Police Act*, provides oversight of policing for municipalities that contract the RCMP for municipal policing. Policing committees are not mandated by legislation. One role of the Policing Committee is to oversee the MPSA. In this regard, committees provide oversight of local policing and ensure community input is provided to the detachment commander. Additionally, they ensure the local police (RCMP) is responsive to the community's public safety needs and expectations.

**Policy:**

A set of guidelines or rules that determine a course of action.

**Province:**

The Government of Alberta.

**Public Complaint Director (PCD):**

A person designated by the oversight agency to assist with, and receive complaints from the public about the police service.

**Rural Municipality:**

A municipal district/county, Métis settlement, or an area of a specialized municipality.

**Shall:**

Is to be interpreted as mandatory.

**Specialized Municipality:**

Specialized municipalities are unique municipal structures that allow urban and rural communities to coexist in a single municipal government.

**Standard:**

A rule or measure, as directed by the Government of Alberta.

**Urban Municipality:**

A city, town, village, summer village or urban service area of a specialized municipality.

# Self-Audit Check List for Compliance

*C – In Compliance, N/C – Not In Compliance, P – Pending, N/A – Not Applicable*

<b>Standard</b>	<b>C</b>	<b>N/C</b>	<b>P</b>	<b>N/A</b>
<p><b>RR.1.1 Policing Committee</b> Municipalities that have entered into an agreement for the provision of municipal policing services by the RCMP <b>may</b> establish, by means of a municipal bylaw, a policing committee in accordance with the provisions of the <i>Alberta Police Act</i>. The municipal bylaw should have the following:</p>				
<p>a. Prescribe the rules governing the operation of the policing committee;</p>				
<p>b. Describe how members of the policing committee are appointed;</p>				
<p>c. Outline number of, and any special considerations of members (non-voting, council representatives, youth representatives, other organizations etc.);</p>				
<p>d. Describe the length of committee member appointments;</p>				
<p>e. Describe procedures for resignations and removal of members;</p>				
<p>f. Describe the procedure for informing the ministry when a policing committee is established and when it is dissolved;</p>				
<p>g. If applicable, describe how any remuneration/gratuity/allowance is provided to members of the policing committee.</p>				
<p>h. Guidelines for input into the selection of the Officer in Charge (OIC) / Detachment Commander.</p>				
<p><b>RR 2.1 Cultural Diversity</b> The municipality shall have a selection and appointment policy in place that considers the cultural diversity of the community.</p>				
<p><b>RR 2.2 Informing Applicants</b> The municipality shall, at the time of application, provide written information to applicants about the application process as well as details of the time and workload commitments required for fulfilling the duties of the policing committee position.</p>				
<p><b>RR 2.3 Security Checks</b> The municipality shall conduct a background check/security clearance of each successful candidate (including those council-appointed members and employees of the municipality) before confirmation of his/her appointment to the policing committee, including at a minimum:</p>				
<p>a. Criminal record check;</p>				
<p>b. Reference checks;</p>				
<p>c. Interview of applicant (including an assessment of overall suitability);</p>				
<p>d. PCD shall successfully complete an RCMP Enhanced Security Clearance.</p>				
<p><b>RR 2.4 Oath of Office</b> Pursuant to the <i>Police Act</i>, upon appointment, successful applicants shall:</p> <ul style="list-style-type: none"> <li>• <b>Take the Oath of Office</b></li> </ul> <p>To educate new committee members, at a minimum, the following documents should be provided:</p>				
<p>a. The Alberta <i>Police Act</i> and the Police Service Regulation;</p>				
<p>b. The Municipal Policing Committee Bylaw</p>				
<p>c. The Municipal Police Service Agreement (MPSA);</p>				
<p>d. A Conduct/Ethics policy that the policing committee will follow; and</p>				
<p>e. The policing committee's orientation handbook, if available</p>				
<b>NOTES:</b>				

<b>Standard</b>	<b>C</b>	<b>N/C</b>	<b>P</b>	<b>N/A</b>
<p><b>RR 3.1 Police Commission Responsibilities</b>            The policing committee shall elect, from amongst its members, a Chair and one or more Vice-Chairs.            Additionally the policing committee shall, carry out its responsibilities as follows:  <u>3.1.1 Pursuant to the <i>Police Act</i>, the MPSA and the relevant Bylaw, oversight responsibilities of the policing committee include:</u></p> <ul style="list-style-type: none"> <li>a. Elect, from amongst its members, a Chair and one or more Vice Chairs (Bylaw);</li> <li>b. Oversee the administration of the policing agreement (MPSA);</li> <li>c. Assist in selecting the officer in charge;</li> <li>d. Represent the interests of the council to the officer in charge of the municipal police service;</li> <li>e. In consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing;</li> <li>f. Issue instructions to the officer in charge respecting the implementation and operation of the yearly plan;</li> <li>g. Represent the interests and concerns of the public to the officer in charge;</li> <li>h. Assist the officer in charge in resolving complaints; and</li> <li>i. Appoint a Public Complaint Director to fulfil the duties set out in the <i>Police Act</i>.</li> </ul>				
<p><b>RR 3.2 Member Contact Information</b>            For good business practice, the policing committee should maintain current membership contact information of its members. Suggested contact information as follows:</p> <p><b>Name/Home Address/Phone Number/Email Address/Term/Position</b></p>				
<p><b>RR 4.1 Delegation of Responsibilities to the Policing Committee</b>            The municipality shall designate <u>in writing</u> the duties outlined in Article 7.0 and Article 8.0 of the MPSA to the policing committee.</p> <p>This can be through the by-law or another document providing authority to the policing committee regarding:</p> <p>Article 7.0 “setting the objectives, priorities and goals for the yearly plan of policing priorities as well as receiving reports from the RCMP on the progress of and implementation of those objectives, priorities and goals”. AND</p> <p>Article 8.0 “receiving information / statements as may be reasonably requested from time to time, the composition of the municipal police service that show or include a current organizational chart, location and function of all Members and support staff including casual or temporary employees. As well as the number of vacancies, special leaves, backfill positions, and surplus, and an explanation of changes since the previous statement”.</p>				
<p><b>NOTES:</b></p>				



Standard	C	N/C	P	N/A
<p><b>PA 1.1 Member Education and Training</b>  The policing committee shall ensure education and training is provided that meets the needs of its members. Suggested inclusions are:</p> <ul style="list-style-type: none"> <li>a. Orientation to policing oversight in Alberta online training program (Justice and Solicitor General)</li> <li>b. Legislated roles and responsibilities (Police Act)</li> <li>c. Public complaints process and reporting (the Provincial/K-Division Protocol)</li> <li>d. Provincial policing oversight standards (Justice and Solicitor General)</li> <li>e. Orientation to RCMP Professional Standards (through the Detachment Commander)</li> </ul>				
<p><b>PA 2.1 Administering Public Complaints</b>  The policing committee policy for the administration and review of complaints shall comply with the Alberta <i>Police Act</i> and the Alberta Protocol to ensure the PCD meets the requirements established within the Policing Oversight Standards.  The PCD shall be knowledgeable about the RCMP public complaint processes and ensure the information provided by the RCMP or material approved by the Provincial Public Complaint Director to explain the RCMP complaint process is made available to the public.</p>				
<p><b>PA 2.2 Processes to receive and refer complaints</b>  The policing committee shall have clearly defined processes to receive and refer a public complaint to the RCMP for investigation. This includes consideration and offer of alternative dispute resolution (ADR) rather than a formal investigation, if and when applicable</p>				
<p><b>PA 2.3 Access to complaints related information</b>  The PCD shall collaborate with the Detachment Commander or designate for access to RCMP complaint records (detachment-specific only). Records shall include, but are not limited to, the following information:</p> <ul style="list-style-type: none"> <li>a. Pertinent dates,</li> <li>b. Timelines,</li> <li>c. Allegations,</li> <li>d. Findings,</li> <li>e. Dispositions, and</li> <li>f. Status of all complaints received at the detachment level, whether brought directly to the PCD or arriving through the detachment, K-Division or the Civilian Review and Complaints Commission (CRCC).</li> </ul>				
<p><b>PA 2.4 Complaint statistics and reporting</b>  In partnership with the Detachment Commander, the PCD shall submit a monthly summary report to the policing committee of public complaints and their current status (i.e. public complaints received directly by the PCD or by another mechanism).</p> <p>The policing committee along with the Detachment Commander shall provide an annual report of public complaints relating to their local detachment to their municipal council and to the public.</p>				
<p><b>NOTES</b></p>				

Standard	C	N/C	P	N/A
<p><b>OM 1.1 Policies and procedures manual</b>  The policing committee shall have a written policy and procedures manual addressing provincial oversight standards that includes, at a minimum, the following sections:</p> <ul style="list-style-type: none"> <li>a. Intent of the Policy/Procedural Manual</li> <li>b. Legislative Obligations of the Policing committee</li> <li>c. Role and Responsibilities of Oversight Members</li> <li>d. Roles and Responsibilities of Chair and Vice Chair</li> <li>e. Roles and Responsibilities of the Public Complaint Director</li> <li>f. Education and Training of New policing committee members</li> <li>g. Public Complains Process</li> <li>h. Conduct/Ethics and Conflict of Interest</li> <li>i. Oversight Member Remuneration (if any)</li> <li>j. Communication and Media Relations</li> </ul>				
<p><b>OM 2.1 Announcing public meetings</b>  The policing committee shall make available to the public a meeting schedule, clearly identifying where and when open policing committee meetings will take place.</p>				
<p><b>OM 2.2 Access to meeting records</b>  The policing committee shall make available to the public (respecting <i>Freedom of Information and Protection of Privacy</i> guidelines) records of open meetings including:</p> <ul style="list-style-type: none"> <li>a. Agenda;</li> <li>b. Minutes; and</li> <li>c. Supplementary material from the meeting (non-confidential).</li> </ul>				
<p><b>OM 3.1 Responsibility for records management</b>  The policing committee shall have written policies that address responsibility and procedures for the records management function within their control.</p> <p>PLEASE NOTE: Most likely, the policing committee will use the Town/City's Administration office to maintain all of its records in accordance with relevant legislation and policies</p>				
<p><b>OM 4.1 Release of information</b>  The policing committee shall have a policy that governs the release of information, such as, who, what and when information can be released to the media and public.</p> <p>In particular, who will talk to the media if there is a crisis or a public safety concern? (i.e. Mayor, Local RCMP Detachment Commander, Policing Committee Chair)</p>				
<p><b>OM 5.1 Policing Committee planning</b>  By way of a plan, the policing committee may set priorities for themselves, and should:</p> <ul style="list-style-type: none"> <li>a. Establish goals and objectives for the policing committee; and</li> <li>b. Communicate those goals and objectives to Municipal Council, the Detachment Commander and the public</li> </ul>				
<p><b>OM 5.2 Policing Committee reporting</b>  The policing committee should have a mechanism in place for the annual reporting of achievements to its stakeholders. The policing committee should produce an annual report of its activities and accomplishments relating to the goals in its plan.</p>				
<p><b>NOTES:</b></p>				

Extra Notes (if required):