

Staff Report to Council

Title: OPP Detachment Board Update

Report Number: Legislative Services-2024-07

Director: Corporate Services

Manager: Legislative Services

Meeting Date:

Wednesday, March 13, 2024

Date to be considered by Council:

Wednesday, March 13, 2024

Recommendation:

That an ad-hoc selection committee be formed to select and appoint the required allotment of community representatives to the South Bruce OPP Detachment Board, known as the South Bruce OPP Detachment Board Community Appointee Advisory Committee; and

That Council approve the Terms of Reference for the South Bruce OPP Detachment Board Community Appointee Advisory Committee; and

That the same Member of Council appointed to the South Bruce OPP Detachment Board, Councillor Cavanagh, be appointed to the aforementioned Advisory Committee; and

That Staff be directed to jointly advertise for two (2) Community Appointees to the Board, to be appointed at large throughout the detachment area; and

Further that Council authorize the transfer of the 2024 Operating Budget as at March 31, 2024 for the Kincardine Police Services Board to the South Bruce OPP Detachment Board.

Executive Summary:

The new Community Safety and Policing Act (CSPA) will come into effect on April 1, 2024, and will repeal the existing Police Services Act. As part of this change, the existing Kincardine Police Services Board will be disbanded and replaced with a single board for the South Bruce OPP Detachment. At the meeting of February 14, 2024, Councillor Cavanagh was appointed as the Municipality of Kincardine Council representative on the Board. The five communities involved in the new Board will also jointly appoint two community members. These members along with one Council member from each community, and two provincial appointees will make up the Board. Council is being asked to approve the Terms of Reference for an advisory committee to aid in the selection of the two community members and to appoint Councillor Cavanagh to the Advisory Committee.

Strategic Priorities:

C.13-Protect people, property and the environment from the effects of dangerous conditions caused by people and nature

Financial Considerations:

The draft net Operating 2024 Budget for the Kincardine Police Services Board is \$16,110. The budget remaining as at March 31, 2024 would be rolled over to the South Bruce OPP Detachment Board for 2024 along with funds from the other partnering Municipalities' budgets. These combined funds would become the budget for the Detachment Board for 2024.

Once established, per the proposed Regulation, the Board will be required to prepare estimates on an annual basis detailing the total amount necessary to cover the operational expenses of the board. The costs would then be allocated equally amongst all the municipalities or in a manner unanimously decided by the municipalities (i.e., per household, population, etc.)

Policy:

Community Safety and Policing Act, 2019, S.O. 2019, c.1, Sched. 1

Context and Background Information:

Staff brought forward a report on February 14, 2024, with details on the ongoing process for creating the new South Bruce OPP Detachment Board. The Working Group has been developing a Procedure By-law for the new Board to consider at their first meeting. This Procedure By-law encompasses all the existing requirements in the CSPA, but the Working Group is still waiting for the regulations that go with the CSPA to be finalized to finish the document. These procedures include meeting procedures, location of meetings, number of meetings per year, and process for annual reporting to Municipalities. Note that per the CSPA these procedures will be considered and voted on by the new Board.

The other item that Working Group has been drafting is the Terms of Reference for the South Bruce OPP Detachment Board Community Appointee Advisory Committee (Advisory Committee). As the five Council's involved in the Board will need to jointly appoint two community members, an Advisory Committee made up of Council members was recommended to review the applications and make recommendations back to the Councils. It is hoped that this will streamline the appointment process and make it fair and equitable.

As the date for the creation of the new Board is April 1st, 2024, Staff are recommending that Council

- approve the Terms of Reference for the Advisory Committee;
- appoint Councillor Cavanagh to the Advisory Committee; and
- direct Staff to jointly Advertise for the two Community Appointees.

The requirements for Council and the Advisory Committee to consider when appointing members are in the Section 33 of the Act and include:

- the need to ensure the Board is representative of the area it serves, having regard for the diversity of the population in the area;
- the need for the police service board to have members with prescribed competencies, if any;
- any applicable diversity plan; and
- required police record check that was prepared within the past 12 months.

This Section of the Act also outlines residents who are not eligible.

Community representatives will be appointed at-large and shall serve as the representative for all member municipalities equally.

It is important that Council proceed with the creation of the Advisory Committee as there will be extensive training required for the new Board members per the Act. The required training includes:

- The training approved by the Minister with respect to the role of an O.P.P. Detachment Board and the responsibilities of members of a board or committee;
- The training approved by the Minister with respect to human rights and systemic racism;
- The training approved by the Minister that promotes recognition of and respect for:
 - The diverse, multiracial, and multicultural character of Ontario society; and
 - The rights and cultures of First Nation, Inuit, and Métis People.
- Any other training prescribed by the Minister.

Also, note that this is a very similar Advisory Committee to one currently approved by the municipalities involved in the Grey Bruce Detachment Joint Board.

Staff have also been collaborating with the other Municipal partners on other required aspects of the Boards administration including finances, insurance, a website, and administrative support. More details will come to Council at a future meeting regarding these items.

Consultation Overview:

Staff have been providing the Kincardine Police Services Board with updates and met with the Board on March 7, 2024, to review the draft documents.

Through the Working Group, Staff have engaged in consultation with the following:

- Other Detachment Board working groups;
- The Ministry of the Solicitor General;
- The Ontario Association of Police Services Boards;
- Municipal Insurer; and
- OPP South Bruce Detachment.

Origin:

The Community Safety and Policing Act, 2019, S.O. 2019, c.1, Sched. 1

Implementation Considerations:

The implementation of this Advisory Committee will occur after the approval by all partnering municipalities. The new Detachment Board will be in place for April 1, 2024, and will cause the Kincardine Police Services Board to cease to be in effect.

Risk Analysis:

Selection of the Community Members will be required to meet the CSPA and its regulations. Members who do not meet the training required by the CSPA will result in the members not being able to exercise the powers or perform the duties of a board member until they have completed the training.

Attachments: Draft Terms of Reference South Bruce O.P.P. Detachment Board Community Appointee Advisory Committee

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