

HALTON REGIONAL POLICE SERVICES BOARD



BY-LAW NO. 99-6

**A BY-LAW TO ESTABLISH GUIDELINES FOR THE
ACCEPTANCE OF DONATIONS
TO THE HALTON REGIONAL POLICE SERVICE AND
DONATIONS TO OTHER ORGANIZATIONS ON BEHALF OF THE SERVICE**

WHEREAS the *Police Services Act*, R.S.O. 1990, Chapter P. 15, Section 31(1) states that a Board is responsible for the provision of adequate and effective police services in the municipality;

AND WHEREAS a Police Services Board may, by by-law make rules for the effective management of the police service under Section 31(6) of the *Police Services Act*;

AND WHEREAS it is the responsibility of the Chief of Police of the Halton Regional Police Service, in accordance with Section 41(1)(a) of the *Act*, in his or her capacity of chief law enforcement officer to administer the policing services of the Regional Municipality of Halton in accordance with the policies, priorities and objectives established by the Halton Regional Police Services Board;

AND WHEREAS it is deemed expedient for the Board to establish guidelines for the acceptance of donations;

NOW THEREFORE THE HALTON REGIONAL POLICE SERVICES BOARD ENACTS as follows:

DEFINITIONS:

In this By-law:

- (a) "Article" means an Article or Subarticle of this By-law.
- (b) "Board" means the Regional Municipality of Halton Police Services Board and shall be composed of such members appointed under Part III of the Act.
- (c) "Chairman" means the Chairman the Halton Regional Police Services Board.
- (d) "Chief of Police" means the Chief of the Halton Regional Police Service.

- (e) "Donations" include the following;
- i) all gifts of a monetary nature;
 - ii) physical goods (clothing);
 - iii) equipment;
 - iv) fleet (car, van, boat);
 - v) consultation fees;
 - vi) travel expenses;
 - vii) membership fees;
 - viii) conference/seminars;
 - ix) services without fees; and
 - x) rents for store fronts

Donations may be temporary or permanent.

Equipment loaned to the Police Service for specific periods, to test for police use, with the objective of entering into a contractual sale, will not be considered as a loan for the purposes of this by-law.

- (f) "Service" - means the Halton Regional Police Service (HRPS);

1. POLICY STATEMENT

- 1.2 It is the policy of the Board to accept and foster donations for police service activities based upon the following principles:
- 1.2.1 The donation received by the Service or made on behalf of the Service promote the guiding principles espoused by Section 1 of the *Police Services Act*.
 - 1.2.2 That the donation support or promote the objectives and priorities of the Police Service.
 - 1.2.3 That the donation will not compromise or bring into question police impartiality or objectivity.
 - 1.2.4 That the donation be consistent with the principle that core policing functions be publicly funded.
 - 1.2.5 That the donation not commit the police service to additional resources, unless agreed to by the appropriate authority within the Police Service or by the Board.
 - 1.2.6 That all donations be accounted for through general accounting principles and be subject, not less frequently than every three years, to an annual audit conducted by an external auditor selected by the Board.
 - 1.2.7 That procedures be developed and maintained in evaluating the acceptance of donations.

1.2.8 The integrity and reputation of the Police Service must always be considered when evaluating these requests. Reasonable measures, such as a basic background check, shall be taken to protect the reputation of the Service, where the value of the donation exceeds \$500.00 but is less than \$5,000.00.

Where the value of the donation exceeds \$5,000.00, and where the donor has never donated to the Police Service before, a full background check of the donor shall be conducted.

It is recommended that basic background checks on all existing donors be re-conducted at reasonable intervals. The size of the donation and the reputation of the organization should be taken into consideration in the determination of what constitutes a reasonable interval.

1.2.9 That the donation be beneficial to the community as a whole and without conditions of its use of preference to the donor.

1.2.10 Use of HRPS Logo and Crest shall only be used with the approval of the Chief of Police.

2. DONATIONS TO THE POLICE SERVICE

2.1 All donations to the Police Service, monetary, physical or service-in-kind, having a one-time or cumulative annual value of more than \$5,000.00 require the approval of the Board.

2.2 Reports to the Board seeking approval, shall include the following information:

- Information about the donation;
- Where the donation is being utilized ;
- Estimated value of the donation;
- The report should clearly outline how the donation will fulfil Service's priorities and objectives.

3. DONATIONS TO THE POLICE SERVICE FOR SPECIFIC OPERATIONAL INVESTIGATIONS OR SPECIAL OPERATIONAL PROJECTS

3.1 Special investigations or special operational projects, where external assistance is provided either through goods or services or monetary, require the approval of the Chief of Police or designate prior to the acceptance of the assistance.

3.2. In considering the approval process for the assistance, as outlined in Article 2.1 above, the Chief of Police or designate, shall consider the principles espoused in Article 1.2 of this By-law.

- 3.3 The operational procedures required in Article 4.1, should also provide detailed control for the accounting of donations provided for the purposes outlined in Article 3.1.
- 3.4. Donations received for the purposes described in Article 3.1, should also be reported to the Board as part of the quarterly report required in Article 4.1.

4. REPORTING OF DONATIONS TO THE POLICE SERVICE

- 4.1 A registry shall be maintained of all donations made to the Police Service. An information report shall be submitted to the Board by the Chief of Police on a quarterly basis to advise the Board on donations made to the Police Service of a monetary value of less than \$5,000.00, including donations made for the purposes of Article 3, and comment as to the compliance with the Police Service written procedures and Board policy.

For donations below \$500.00, the report to the Board shall indicate the cumulative value of such donations; the number of donors; and delineate between donations made in cash or as services-in-kind.

- 4.2 The Chief of Police, with the direction of the Board, shall have the audit referred to in Article 1.2.6 conducted and shall submit the results of the audit to the Board.

5. SPONSORSHIP OF COMMUNITY AND CHARITABLE EVENTS BY THE POLICE SERVICE

- 5.1 A discretionary fund of \$5,000.00 per annum shall be made available to the Chief of Police from the Board Trust Fund for the sponsorship or support of community or charitable events which will help the service to fulfil it's priorities and objectives.
- 5.2 Support of any one charitable event/donation from the Chief's discretionary fund in excess of \$1,000.00 per annum shall be subject to approval from the Board.
- 5.3 Expenditures from the Chiefs discretionary fund shall be reported in the Board's Trust Fund Report and be subject to the requirements of Article 5.6.
- 5.4 The Chief may recommend that the Board support/sponsor community or charitable events from the Board Trust Fund and outside of the Chief's discretionary fund.
- 5.5 Reports to the Board seeking such approval, shall include the following information:
 - proposed project or charity to receive the funds;
 - a brief description of the event;
 - amount or estimated value of the donation;
 - an outline how the donation will help the Service fulfil it's priorities and objectives.

- 5.6 Expenditures from the Board's Trust Fund shall:
- a) be accounted for through generally acceptable accounting principles;
 - b) be reported to the Board on a quarterly basis: and
 - c) be subject, not less frequently than every three years, to an annual audit conducted by an external auditor selected by the Board.
- 5.7 The Chief of Police, with the direction of the Board, shall have the audit referred to in Article 5.6 (c) conducted and shall submit the results of that audit to the Board.

6. PROCEDURES

- 6.1 The Chief of Police shall develop and implement written procedures to ensure donations are addressed in accordance with the provisions of the By-law.

7. EFFECTIVE DATE

- 7.1 That the Board repeal By-Law 99-3 passed on the 28th day of January, 1999;
- 7.2 This By-law shall come into force and take effect immediately upon the passing hereof.

READ AND PASSED BY THE HALTON REGIONAL POLICE SERVICES BOARD

THIS 27th DAY OF MAY , 1999

Chairman

Executive Administrator