

HALTON REGIONAL POLICE SERVICES BOARD

POLICY DOCUMENT

Policy No.:	ADM-07
Policy Subject:	Placement of Board Reports on Agendas
Date Approved:	October 24, 2013
Reporting Requirement	N/A
Review Date:	

Legislative Authority:

Section 35(3) of the *Police Services Act* states:

Meetings and hearings conducted by the Board shall be open to the public, subject to subsection (4) and notice of them shall be published in the manner that the Board determines.

Section 35(4) states:

The board may exclude the public from all or part of a meeting or hearing if it is of the opinion that,

- (a) matters involving public security may be disclosed and, having regard to the circumstances, the desirability of avoiding their disclosure in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public; or*
- (b) intimate financial or personal matters or other matters may be disclosed of such a nature, having regard to the circumstances, that the desirability of avoiding their disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public.*

To assist the Board and the Chief in determining the proper placement of a report on a Board agenda, the Board's Procedural By-law includes the following provisions:

18.3 *A meeting of the Board may also be closed to the public if the subject matter being considered relates to:*

- (a) personal matters about an identifiable individual, including employees;*
- (b) labour relations or employee negotiations;*
- (c) litigation or potential litigation, including matters before administrative tribunals, affecting the board or its employees;*
- (d) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*
- (e) a matter in respect of which the board may hold a closed meeting under another Act.*

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- (f) *consideration of promotions, in accordance with by-law 96-1;*
- (g) *matters that are specifically restricted by legislation regarding the protection of privacy;*
- (h) *matters relating to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended*
- (i) *for the purpose of educating or training the Members.*

18.4 *No persons other than Board Members and those persons authorized by the Board from time to time as contained in Board Policy shall attend closed meetings of the Board, and all other persons shall vacate the meetings if requested to do so by the Chairman.*

Board Policy:

1. In order to retain the public's confidence that the Police Services Board is conducting its meetings in an open and transparent manner and in compliance with the *Police Services Act*, it is the policy of the Police Services Board that their meetings be open to the public to the greatest extent possible.
2. The Board directs that when reports or presentations are prepared for the submission to the Board, the concept of open meetings be a paramount consideration. The consideration for discussing the matter in the closed portion of the meeting shall include the two-part test provided in Section 35(4) of the *Police Services Act*, which includes the subject matter **AND** whether the desirability of non-disclosure outweighs the principle of discussing the matter in public.
3. The Board also directs that reports prepared for the closed portion of the meeting include in the introduction, the reason why it is to be considered confidential. This declaration should include the applicable subsection in Article 18.3 of the Board's Procedural By-law or the Police Services Act.
4. Where practical, prior to the preparation of the Board agenda, the Chairman, Chief of Police and Executive Director should meet either in person or by telephone, to conduct an initial screening of the reports for the upcoming meeting. The purpose of this screening is to discuss the appropriate agenda placement of the reports if not readily evident.
5. If it is necessary for the Board to consider a matter in the absence of the public, prior to the Board convening into closed session, they shall pass a motion outlining that a closed meeting will be held, and the general nature of the matter to be considered.