



**HALTON
POLICE
BOARD**
EXCELLENCE IN GOVERNANCE

Public Agenda

Date: Friday, April 3, 2020

Time: 9:00 a.m.

Location: Zoom Video Conference

Link to watch meeting: <https://zoom.us/j/443469722>

1. GENERAL

2. PRESENTATIONS/DELEGATIONS

3. DISCUSSION ITEMS

- 3.1 **CAO20-3-R-04** - State of Emergency Committee
(Agenda Pages 1 – 4)

RECOMMENDATION

THAT the Halton Police Board establish a State of Emergency Committee consisting of the Chair and Vice-Chair, and delegate to it forthwith until the expiry of the current Provincial and Regional Public Health Emergency, the authority to exercise any and all powers permitted to be delegated by the Board under the *Police Services Act*, R.S.O. 1990, c.P.15, as amended, including but not limited to the following:

- a. the acquisition of goods or services in accordance with the Purchasing Bylaw, including non-competitive procurements, where the value of the goods or services exceeds the delegated authority of the Chief;
- b. the approval and execution of agreements and memoranda of understanding;
- c. the approval and execution of real estate transactions, including leases and licence agreements;

- d. any actions required with respect to any human resources matters, be they subject to collective agreement or contract; and
- e. any appointments and terminations made under the *Police Services Act*, including any agreements or authorizations required to facilitate those appointments.

AND THAT the State of Emergency Committee report to the entire Board at each meeting of the Board, in writing, all decisions made on its behalf between meetings.

3.2 **CAO20-3-R-05** - Pandemic Information-Sharing Protocol
(Agenda Pages 5 – 8)

RECOMMENDATION

THAT the Halton Police Board establish the Emergency Pandemic Information-Sharing Protocol as proposed.

4. ADJOURNMENT

Attachments:

MSG ADM PSD Guidance to PSBs Regarding Meetings, 23 March 2020

INTRODUCTION AND BACKGROUND:

The ongoing COVID-19 pandemic is having an unprecedented impact on all aspects of life in Halton Region, and across throughout the world. States of emergency have been declared by the Federal, Provincial and Regional governments. Risk mitigation plans and actions have been implemented by the HRPS.

The regularly-scheduled Board meeting of 26 March 2020 was cancelled in order to prevent potential exposure to and spread of the virus. The Chief of Police has been keeping the Board apprised of the emerging situation. There were no urgent matters requiring Board attention for the March meeting. The Act requires four meetings a year. We have developed and are permitted by the Act to use electronic means for meetings with due regard for conduct in public and with means for public input.

DISCUSSION / ANALYSIS:

As events and circumstances continue to rapidly unfold, there may well come times when urgent Board approval(s) become operationally necessary. As such, it is prudent to create the means to rapidly consider and approve urgent requests from the Chief of Police. Indeed, the HPB is obligated to fulfill its legislated police governance responsibilities throughout the current State of Emergency.

Section 34 of the Police Services Act allows the Board to “delegate to two or more of its members any authority conferred on it by this Act...” Accordingly, a State of Emergency Committee is proposed to act on behalf of the Board from between Board meetings, when the entire Board would be apprised in writing of any actions taken on its behalf between meetings.

Toronto PSB adopted a similar motion on 26 March 2020.

ALTERNATIVES:

The status quo, whose standard decision timelines are one week or more from announcement of a request.

CONSULTATION:

Chair, Solicitor General's Policy Advisor, Solicitor Ken Kelertas

FINANCIAL / HUMAN RESOURCE / LEGAL ISSUES:

N/A

STRATEGIC MANAGEMENT ISSUES:

Continuity of governance in an emergency.

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MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Richard Stubbings
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT: **Guidance to Police Services Boards Regarding Meetings**

DATE OF ISSUE:	March 23, 2020
CLASSIFICATION:	General Information
RETENTION:	Indefinite
INDEX NO.:	20-0024
PRIORITY:	High

I am writing further to several inquiries we have received in relation to challenges with hosting police services board meetings due to the impact of COVID-19 on in-person activities.

The *Police Services Act* (PSA) outlines the duties of police services boards with respect to board meetings, while requiring that each board establish its own rules and procedures in performing its duties under the Act. While the Act requires that boards meet at least four times a year, it is quite common across the province for boards to meet more frequently, often on a monthly basis in order to fulfill their duties.

While this is ultimately a local decision, the ministry is taking this opportunity to provide clarification that may support boards in continuing to meet via alternative methods in absence of the ability to meet in-person. Notably, the PSA does not require that police services board meetings be held in-person. While police services board meetings are to be open to the public, there is flexibility for public meetings to be held virtually if a board deems this to be appropriate and if the virtual meeting can be made open to the public. With respect to board meetings conducted virtually, police services boards should take all feasible measures to facilitate public and media participation in open meetings.

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Of note, there are specific circumstances that allow for issues to be discussed in-camera and these circumstances remain in-force during the emergency. A board may exclude the public from all or part of a meeting 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.

Further, a board may choose to delegate any authority conferred on it within the PSA to two or more of its members (or one member in the case of collective bargaining). Boards are encouraged to consider reviewing their rules and procedures, taking into account the ability to delegate, should it be facing challenges in arranging for all members to participate in decision-making at this time.

As a friendly reminder, should police services boards have questions regarding their obligations with respect to meetings, or any of their duties under the Act, during this time, I would encourage you to work with your Police Services Advisor. Should you require legal advice, please ensure to reach out to your legal counsel.

For any questions, you may wish to reach out to your Police Services Advisor or you may contact Jeeti Sahota, A/Manager of the Operations Unit at jeeti.sahota@ontario.ca.

I hope this information is helpful.

Sincerely,

Richard Stubbings
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division



Public Agenda Recommendation Report

To: Chair and Police Service Board Members **From:** Fred Kaustinen
 Chief Administrative Officer

Subject: Pandemic Information-Sharing Protocol

Report #: CAO20-R-3-05 **Date:** 3 April 2020

RECOMMENDATION:

THAT the Halton Police Board establish the Emergency Pandemic Information-Sharing Protocol as proposed.

Fred Kaustinen

Attachments:

Emergency Pandemic Information-Sharing Protocol 2020 (proposed)

INTRODUCTION AND BACKGROUND:

The ongoing COVID-19 pandemic is having an unprecedented impact on all aspects of life in Halton Region, and indeed the entire world. States of emergency have been declared by the Federal, Provincial, Regional and local municipal governments.

DISCUSSION / ANALYSIS:

The HPB is obligated fulfill its legislated police governance responsibilities throughout the current State of Emergency.

Risk mitigation plans and actions have been implemented by the HRPS, and the Chief of Police has proactively kept the Board apprised of those plans and adjustments.

The attached Pandemic State of Emergency Information-Sharing Protocol is designed to ensure that the provision of information during this Pandemic is clearly aligned with the Board's statutory responsibilities for the provision of Adequate and Effective Policing, as well as its oft-stated emphasis employee welfare.

ALTERNATIVES:

N/A

CONSULTATION:

Chief of Police

FINANCIAL / HUMAN RESOURCE / LEGAL ISSUES:

N/A

STRATEGIC MANAGEMENT ISSUES:

Continuity of governance during a pandemic.



EMERGENCY PANDEMIC INFORMATION-SHARING PROTOCOL

Adopted _____

1. The Board's Chief Administrative Officer, as the Board's liaison, and the Chief or Chief's representative will continue to remain in close communication.
2. Chief of Police will update the Board in writing at the end of each week, in addition to any verbal updates, addressing the following categories of information as they pertain to the current status and next week's projections:
 - a. Business continuity, including:
 - i. Whether deployment levels of sworn officers and civilians are adequate given the current situation;
 - ii. Any deficiencies in supplies or equipment, including self-protection equipment, necessary to maintain operations, including the response to the pandemic; and
 - iii. Any deficiencies in the capacity of the Service to perform its core functions or to respond to the pandemic and enforce provincial orders.
 - b. Provision of adequate and effective policing, for example:
 - i. Any abnormal increases in calls for service or crime across the city or in any particular area, or any serious breaches of the peace related to the pandemic;
 - ii. Developments in respect of emergency management planning;
 - iii. A summary of the actions taken by the Service to enforce provincial orders, including with respect to maintaining public order; and
 - iv. A summary of significant complaints known to the Service arising specifically from its response to the pandemic and in enforcing provincial orders.



- c. Member wellness, for example: The number of sworn or civilian Members that cannot report for duty due to self-isolation or infection with severe acute respiratory syndrome coronavirus or the diagnosis of coronavirus disease (COVID-19).
3. In the event of a critical incident, which includes any significant event that would affect the ability of the Service to deliver adequate and effective policing or could bring the Service's reputation into disrepute, the Chief will report directly and, as soon as practical, to the Chair of the Board. The Chair and/or Chief Administrative Officer of the Board will advise all other Board Members as soon as practical.
4. The Chief Administrative Officer will continue to apprise the Chair, Vice Chair and Board Members of relevant developments across the province and country.