

**ALBERTA POLICING
OVERSIGHT STANDARDS**

**AUDIT FILE BOX VERSION
SEPTEMBER 2014**

ROLES AND RESPONSIBILITIES (RR)

RR.1 – Establishing a Police Oversight Agency

PREAMBLE

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

The core principles for oversight of policing in Alberta are:

- The participation of the public in determining priorities of the police service is essential;
- 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 in the Alberta Law Enforcement Framework (2010), local governing bodies should establish a police oversight body that will facilitate meaningful community input into local policing needs and provide credible mechanisms to address concerns regarding the conduct of law enforcement personnel.

RR.1.1 Policing Committee

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

The municipal bylaw or policy shall:

- 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 board member appointments;
- e. Describe procedures for resignations and removal of members;
- f. Describe the procedure for informing the ministry when an RCMP policing committee is established and when it is dissolved;
- g. If applicable, describe how any remuneration/gratuity/allowance to members of the policing committee is provided.
- h. 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 g), or relevant sections of the policing committee's policy

Verification:

- Oversight Agency Policy
- Copy of signed and dated bylaw

ROLES AND RESPONSIBILITIES (RR)

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Pursuant to the *Police Act* and to guidance provided in the Alberta Law Enforcement Framework (2010), local governing bodies should establish a police oversight body that will facilitate meaningful community input into local policing needs and provide credible mechanisms to address concerns regarding the conduct of law enforcement personnel.

RR.1.2 Police Commission

Municipalities that have established a Regional, Stand-Alone, or First Nations municipal police service, **shall**, via resolution/bylaw, establish a police commission in accordance with the provisions of the Alberta *Police Act*. The bylaw or policy shall:

- a. Prescribe the rules governing the operation of the police commission;
- b. Describe how members of the police commission 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 board member appointments;
- e. Describe procedures for resignations and removal of members;
- f. If applicable, describe how any remuneration/gratuity/allowance to members of the police commission is provided.
- g. All persons appointed to the police commission take the Oath (Schedule 1 found in the *Police Act*).

Compliance: Bylaw that includes all items listed above (*a to f*), or relevant sections of the police commission's policy

Verification:

- Oversight Agency Policy
- Copy of signed and dated bylaw

RR.2 – Selecting and Appointing Oversight Agency Members

PREAMBLE

Once a municipal police service has been established, the second requirement is an oversight agency that will oversee the police service. To fulfill this requirement, the municipality **shall** select and appoint qualified oversight agency members through a process sensitive to the principles of openness and equity.

STATEMENT

Although recruiting board members is the responsibility of the municipality, it is the oversight agency that will provide proof of compliance for this process. It is expected that the oversight agency will be aware of the municipality's board member selection and appointment process for auditing and compliance purposes.

RR 2.1 Cultural diversity

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

Compliance: Recruitment strategy/policy

Verification:

- Volunteer job posting, advert, pamphlet or equivalent
- Evidence of the recruitment process used

RR.2 – Selecting and Appointing Oversight Agency Members

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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 oversight position.

Compliance: Sample copy of application information package or job description

Verification:

- Job advertisement
- Evidence of the application process

RR.2 – Selecting and Appointing Oversight Agency Members

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RR 2.3 Security checks

The municipality shall conduct a background check/security clearance of all applicants (including council-appointed members) before their appointment to the oversight agency, including at a minimum:

- a. Police information check;
- b. Reference checks;
- c. Interview of applicant (including an assessment of overall suitability)
- d. PCD shall receive an Enhanced Security Clearance (RCMP or municipal equivalent)

Compliance: Job advertisement

Verification:

- Blank copy of the criminal records check application form/package
- Proof that Police staff performed the various security checks as requested by the oversight agency
- Proof of enhanced security clearance for the PCD

RR.2 – Selecting and Appointing Oversight Agency Members

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Although recruiting board members is the responsibility of the municipality, it is the oversight agency that will provide proof of compliance for this process. It is expected that the oversight agency will be aware of the municipality's board member selection and appointment process for auditing and compliance purposes.

RR 2.4 Oath of office

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

- a. **Take the Oath of Office**; *and receive the following*:
- b. The Alberta *Police Act* and the *Police Service Regulation*;
- c. The *RCMP Act* and/or Community Tripartite Policing Agreement, or Municipal Police Service Agreement (MPSA) as per the nature of their police service;
- d. A Conduct/Ethics policy that the oversight agency will follow; and
- e. The oversight agency's policy manual.

Compliance: Policy

Verification:

- Sample copy of a signed and dated Oath of Office
- Sample copy of a signed and dated Conduct/Ethics form
- Member orientation handbook or equivalent

RR.3 – Oversight Agency Role

PREAMBLE

The delicate balance between the independence and authority of law enforcement 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 oversight agency, the municipality, the municipal police service and the community are met.

RR 3.1 Police Committee Responsibilities

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

3.1.1 Oversight responsibilities of the policing committee:

- a. Elect, from amongst its members, a Chair and one or more Vice Chairs;
- b. Oversee the administration of the policing agreement (MPSA);
- c. Participate/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: Policy and Procedures manual

Verification:

- Oversight Agency Policy and Procedures manual
- Proof of procedures electing the Chair and Vice Chair

- Sample copies of meeting minutes
- Copy of the APP/yearly plan of priorities
- Evidence of consultations with the community for input into priorities
- Member interviews and observation for knowledge of committee duties, attendance and participation in meetings, identifying community needs, bringing issues forward, understanding of policing committee goals and objectives, etc.

RR.3 – Oversight Agency Role

PREAMBLE

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STATEMENT

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

RR 3.1 Police Commission responsibilities

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

3.1.2 Oversight responsibilities of the police commission:

- Elect, from amongst its members, a Chair and one or more Vice Chairs;
- In consultation with the Chief of Police produce an estimated budget and yearly plan specifying the level of police service and programs to be provided in respect of the municipality, and shall submit those estimates and plans to the council;
- Allocate and monitor the budgeted funds that are provided by council;
- Assist the Chief of Police in establishing policies providing for efficient and effective policing;
- Issue instructions, as necessary, to the Chief of Police in respect of the established policies;
- Ensure that sufficient persons are employed for the police service to carry out its functions;
- Appoint a Chief of Police, subject to the ratification of the municipal council; and

- h. Appoint a Public Complaint Director to fulfil the duties set out in the *Police Act*.

Compliance: Policy and Procedures manual

Verification:

- Oversight Agency Policy and Procedures manual
- Proof of procedures electing the Chair and Vice Chair (meeting minutes)
- Copy of the Police Service Annual Plan and budget or equivalent and evidence that those were submitted to council
- Member interviews and observation for knowledge of commission duties, attendance and participation in meetings, identifying community needs, bringing issues forward, understanding of police commission goals and objectives, etc.

RR.3 – Oversight Agency Role

PREAMBLE

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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.

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RR 3.2 Member contact information

For good business practice, the oversight agency 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)
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Compliance: Policy

Verification: Copy of current Membership list

PERSONNEL ADMINISTRATION (PA)

PA.1 – Training Oversight Agency Members

PREAMBLE

Oversight agency members shall be supported by formal and informal training and professional development. This training should begin on appointment and continue throughout the oversight agency member's term.

STATEMENT

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

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

PA 1.1 Member training

The oversight agency shall provide training that addresses the training needs of its members. Suggested inclusions are:

- a. Policing oversight and complaints in Alberta (Justice and Solicitor General Website)
- b. Legislated roles and responsibilities (*Police Act*)
- c. Public complaints process – in general
- d. Oversight agency policy and procedures manual
- e. Provincial policing oversight standards
- f. Orientation to RCMP Professional Standards (Policing Committees only)

Compliance: Policy or Orientation checklist

Verification:

- Oversight Agency policy or member orientation manual
- Sample copy of a training plan or a record of training completed by agency members
- Member interviews and observation for knowledge of oversight duties (i.e. good understanding of the role of the oversight agency, how the agency functions, and any particular job functions)

PA.2 – Oversight Agency Public Complaint Director

PREAMBLE

Albertans need 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 policy. When a complaint is made, police services are to fully inform all affected parties, 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 R/PCD shall offer a dispute resolution process to resolve matters if appropriate.

PA 2.1 – Administering public complaints

The oversight agency policy for the administration and review of complaints shall comply with the Alberta *Police Act* and ensure the R/PCD meets the requirements established within the Policing Oversight Standards.

Compliance: Policy

Verification:

- Review of the Oversight Agency policy & procedure for the administration and review of public complaints

PA.2 – Oversight Agency Public Complaint Director

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PA 2.2 Standardized public complaint process

The R/PCD shall be familiar with complaint processes within the province and ensure the information provided by the police service or material approved by the Provincial Public Complaint Director to explain the complaint process to the public is made available.

Compliance: Policy

Verification:

- Oversight Agency policy
- Oversight Agency website, pamphlets, brochures, handouts, forms etc. detailing the police complaints process
- PCD interview for knowledge of the complaints process and their specific duties

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PA 2.3 Processes to receive and refer complaints

The oversight agency shall have clearly defined processes to receive and refer a public complaint to the police service for investigation. This includes consideration and offer of alternative dispute resolution (ADR) rather than a formal investigation, if applicable (when both parties consent to ADR).

Compliance: Policy and Procedure

Verification:

- Oversight Agency policy and procedures
- Blank complaint form or equivalent
- Sample copy of an RCMP Record of Complaint or Advice (ROCA) form (policing committees only)
- PCD interview for knowledge of the complaints process and the ADR process if considered/used

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PA 2.4 Access to complaints related information

The R/PCD shall have access to records pertaining to complaints and citizen contacts. Records include those in hard copy and those contained in real time in the complaint/professional standards database (IAPro). 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 whether brought directly to the R/PCD or arriving directly through the police service.

Compliance: Policy

Verification:

- Oversight Agency policy and procedures
- Proof of access to the police complaints database (IAPro), or
- Evidence that PCD has access to a report of all public complaints received
- Evidence of an organized system for tracking/monitoring public complaints

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PA 2.5 Complaint statistics and reporting

The oversight agency shall receive a summary report of public complaints and their current status (i.e. complaints received directly by the R/PCD or by the police service). The oversight agency shall make annual complaints statistics available to the public and municipality.

Compliance: Policy

Verification:

- Evidence that PCD has access to a summary report of all public complaints received (either directly (IAPro) or through the police service)
- Sample copy of complaint report(s) provided to the oversight agency
- Sample copy of complaint statistics made available to the public and municipality

PA.2 – Oversight Agency Public Complaint Director

PREAMBLE

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PA 2.6 Reporting to Director of Law Enforcement

The oversight agency shall have a prescribed procedure in place to meet reporting requirements to the Director of Law Enforcement pursuant to Section 52 of the *Police Act*.

Compliance: Policy

Verification:

- Oversight Agency policy and procedure
- Copy of a standardized Complaint Report (IAPro output) provided to the Director of Law Enforcement, or equivalent, to prove that quarterly data submission has occurred.

ORGANIZATIONAL MANAGEMENT (OM)

OM.1 - Oversight Agency Structure and Administration

PREAMBLE

The oversight agency 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 oversight agency establishes a formal structure to organize, define, direct and coordinate its duties.

OM 1.1 Policies and procedures manual

The oversight agency 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 | i. Police Commission/Policing Committee Yearly Plan of Objectives |
| b. Legislative Obligations of the Oversight Agency | j. Police Commission/Policing Committee Yearly Report of Achievements |
| c. Role and Responsibilities of Oversight Members | k. Oversight Member Remuneration (if any) |
| d. Roles and Responsibilities of Chair and Vice-Chair | l. Financial Management |
| e. Roles and Responsibilities of the Public Complaint Director | m. Records Management |
| f. Orientation and Training of New Members | n. Communication and Media Relations |
| g. Public Complaints Process | |
| h. Conduct/Ethics and Conflict of Interest | |

Compliance: Policy

Verification:

- Copy of policy and procedure manual with indication of review/production within the last 3 years (maximum)

OM.2 – Planning and Reporting of the Oversight Agency

PREAMBLE

Planning and reporting processes are essential for effective management. The oversight agency needs to operate openly and transparently as an organization. One way to achieve this is to have clearly written goals and objectives documented in a yearly (operational) plan, as well as mechanisms in place for reporting achievements to its stakeholders.

STATEMENT

The yearly plan should contain provisions for frequent evaluation and updating. Timely and accurate information must be shared with all stakeholders, including the public, regarding the business of the oversight agency and the goals set out in their yearly operational plan.

OM 2.1 Oversight agency planning

The oversight agency shall, each year, set priorities for themselves as a Board. The oversight agency shall:

- a. Set annual goals and objectives for the oversight agency; and
- b. Communicate those annual goals and objectives to the Municipality and Chief of Police

Compliance: Policy

Verification:

- Copy of the Oversight Agency's yearly plan endorsed by the oversight agency
- Evidence that the Oversight Agency's yearly plan has been communicated to the Municipality and the Chief of Police

OM.2 – Planning and Reporting of the Oversight Agency

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OM 2.2 Informing stakeholders

The oversight agency shall have a mechanism for reporting its achievements to its stakeholders. The oversight agency shall produce a report of its accomplishments during the previous year relating to the goals set out in their yearly operational plan (i.e. quarterly or annual reports or equivalents).

Compliance: Policy

Verification:

- Copy of the document outlining the oversight agency's yearly accomplishments
- Evidence that the oversight agency's yearly accomplishments have been communicated to the Municipality, the Chief of Police and the Community (i.e. website or equivalent)

OM.2 – Planning and Reporting of the Oversight Agency

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OM 2.3 Announcing public meetings

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

Compliance: Policy

Verification:

- Evidence that the yearly meeting schedule has been communicated to the public (i.e. website or equivalent)

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OM 2.4 Access to meeting records

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

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

Compliance: Policy

Verification:

- Evidence that the above documents have been made available to the public (i.e. website or equivalent)

OM.3 - Financial Management of the Oversight Agency

PREAMBLE

The oversight agency shall have an accounting system that is compatible with, or a part of, the central accounting system of the governing jurisdiction. (for managing the oversight agency's budget, if applicable).

STATEMENT

Using generally accepted accounting principles, formal financial control procedures establish authority and responsibility, and they alert the agency to problems that may require remedial action.

OM 3.1 Financial records

The oversight agency shall, as required, have an accounting system that complies with generally accepted accounting principles. This shall be confirmed through yearly financial audits of the oversight agency's budget.

Compliance: Policy

Verification:

- Copy of annual financial audit report cover letter
- Alternatively, a signed letter from the Director of Finance, responsible for the central accounting system verifying that generally accepted accounting principles are being followed by the oversight agency.

OM.3 - Financial Management of the Oversight Agency

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The oversight agency shall have an accounting system that is compatible with, or a part of, the central accounting system of the governing jurisdiction. (for managing the oversight agency's budget, if applicable).

STATEMENT

Using generally accepted accounting principles, formal financial control procedures establish authority and responsibility, and they alert the agency to problems that may require remedial action.

OM 3.2 Budgeting processes

The oversight agency shall have a written policy that describes its own budgeting process and responsibilities for budget preparation, fiscal management and how financial audits are handled. The policy shall also describe a process for making the oversight agency's budget and audit information available to the public.

Compliance: Policy

Verification:

- Member information handbook
- Completed audit reports (internal and external)
- Any dated documents by which the oversight agency's financial information is made available to the public

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The oversight agency shall have an accounting system that is compatible with, or a part of, the central accounting system of the governing jurisdiction. (for managing the oversight agency's budget, if applicable).

STATEMENT

Using generally accepted accounting principles, formal financial control procedures establish authority and responsibility, and they alert the agency to problems that may require remedial action.

OM 3.3 Tracking the use of funds

The oversight agency shall have written policies that address procedures for handling funds, including honoraria (as they exist) and reimbursement of expenses for its members.

Compliance: Policy

Verification:

- Copy of audited financial statements outlining honoraria and/or expense reimbursement to members

OM.4 – Records Management of the Oversight Agency

PREAMBLE

To meet management and information needs, the oversight agency must have a system for keeping records well 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 system shall be designed to ensure proper access to the records as well as proper control, storage, retrieval, security and disposition of records.

OM 4.1 Responsibility for records management

The oversight agency shall have written policies that address responsibility and procedures for the records management function.

Compliance: Policy

Verification:

- Observation of the oversight agency's record management system

OM.4 – Records Management of the Oversight Agency

PREAMBLE

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STATEMENT

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

OM 4.2 Indexing of records

All records shall be indexed for quick retrieval.

Compliance: Policy

Verification:

- Observation of the oversight agency's record management system

OM.4 – Records Management of the Oversight Agency

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STATEMENT

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

OM 4.3 Record retention

The oversight agency shall have written policies that address schedules for records retention.

Compliance: Policy

Verification:

- Observation of the oversight agency's record management system

OM.4 – Records Management of the Oversight Agency

PREAMBLE

To meet management and information needs, the oversight agency must have a system for keeping records well 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 system shall be designed to ensure proper access to the records as well as proper control, storage, retrieval, security and disposition of records.

OM 4.4 Record and information security

The oversight agency shall have written policies that address document security in particular *Freedom of Information and Protection of Privacy Act* adherence.

Compliance: Policy

Verification:

- Observation of the oversight agency's record management system

OM.5 – Media Relations of the Oversight Agency

PREAMBLE

Oversight agencies shall establish a positive and open working relationship with the 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 oversight agency shall determine who is responsible for interacting with the media.

OM 5.1 Release of information

The oversight agency 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.

Compliance: Policy

Verification:

- Copies of publicly released information