

Report to Peterborough OPP Detachment Board

To: Chair & Members
From: Bianca Dragicevic, Interim Board Administrator
Date: October 21, 2024
Re: Peterborough OPP Detachment Board Terms of Reference

Recommendation:

That the Board receive the report from the Interim Board Administrator regarding Peterborough OPP Detachment Board Terms of Reference; and further

That the Board adopt the Terms of Reference for the Peterborough OPP Detachment Board.

Financial Implications:

There are no financial implications as a result of this report.

Background:

With the enactment of the new *Community Safety and Policing Act, 2019* (CSPA) on April 1, 2024, staff from the participating Municipalities and First Nations (Asphodel-Norwood, Curve Lake First Nation, Douro-Dummer, Havelock-Belmont-Methuen, Hiawatha First Nation, North Kawartha, Otonabee-South Monaghan, Selwyn, and Trent Lakes) worked collaboratively to develop the Terms of Reference, attached as Appendix A. The Terms of Reference are general in nature and are intended to outline the working relationship between the communities represented and the PODB. Specific policies and procedures are to be determined by the PODB.

The Terms of Reference have been approved by all the Peterborough County OPP policed Municipalities and First Nations. Although the Terms of Reference use the term 'Peterborough County' OPP Detachment Board, it is recommended that they remain as-is until a decision is made on the name of the Board.

Consultations:

Staff from participating Municipalities and First Nations

Appendices:

Appendix A – Terms of Reference

Submitted by:

Bianca Dragicevic
Bianca Dragicevic, Interim Board Administrator

Peterborough County OPP Detachment Board Terms of Reference

1. Purpose

The Peterborough County OPP Detachment Board is established to fulfill the requirements of Section 67 of the Community Safety and Policing Act (CSPA) and any regulations thereunder.

2. Roles and Responsibilities

Per Section 68 (1) of the CSPA as amended, the OPP Detachment Board's roles shall include:

- a. Consulting with the Commissioner regarding the selection of a detachment commander and otherwise participate in accordance with the regulations in the selection of the detachment commander;
- b. Determining objectives and priorities for the detachment, not inconsistent with the strategic plan prepared by the Minister, after consultation with the detachment commander or his or her designate;
- c. Advising the detachment commander with respect to policing provided by the detachment;
- d. Monitoring the performance of the detachment commander;
- e. Reviewing the reports of the detachment commander regarding policing provided by the detachment; and
- f. On or before June 30 in each year, providing an annual report to the municipalities and First Nations regarding the policing provided by the detachment in their communities.

3. Authority

Authority delegation is restricted to the scope described in Section 42 of the CSPA, as amended.

4. Reporting

The OPP Detachment Board reports to the respective Municipal and First Nation Councils comprising the OPP Detachment Board as required in accordance with the CSPA, as amended.

5. Composition

Unless otherwise determined by Provincial Legislation, membership shall be comprised of 15 members as follows:

- Municipal/First Nation Appointees – One (1) member appointed by each of the following municipalities and First Nations, who is a member of the council of the municipality or First Nation, for a total of nine (9) members:

- Asphodel-Norwood Township, Curve Lake First Nation, Douro-Dummer Township, Havelock-Belmont-Methuen Township, Hiawatha First Nation, North Kawartha Township, Otonabee-South Monaghan Township, Selwyn Township and Municipality of Trent Lakes.
- Community Appointees – three (3) members jointly appointed by each of the above municipalities and First Nations who are neither members of the council of, nor employees of, any of the municipalities or First Nations.
- Provincial Appointees - three (3) members appointed by the Minister.

6. Appointments to the OPP Detachment Board

Appointments to the OPP Detachment Board shall be made in accordance with the provisions of Section 33 of the CSPA, as amended.

Provincial Appointments to the OPP Detachment Board shall be made by the Provincial Government.

Council Appointments to the OPP Detachment Board shall be made by the respective Municipal or First Nation Councils; one (1) per Municipality or First Nation.

Community Representative appointments to the OPP Detachment Board shall be made and endorsed by all respective Municipal/First Nation Councils. In considering Community Representative appointments, preference shall be given to persons demonstrating knowledge or experience in a complimentary area, such as:

- | | |
|-------------------|------------------|
| • Finance | • Legal |
| • Social Services | • Health Care |
| • Education | • Mental Health |
| • Governance | • Youth Services |

6.1 Appointment of Community Representatives

Appointed Board Members of the respective Municipal/First Nations will be tasked with reviewing the applications for Community Representatives and selecting three (3) candidates by consensus to recommend to each of the Municipal/First Nation Councils. If consensus cannot be reached, then the majority prevails.

The Community Representatives shall be ratified by consensus by all participating Councils. If consensus cannot be reached by the Municipal/First Nations Councils, then the majority prevails

7. Term of Office

The Term of Office for Provincial Appointees on the OPP Detachment Board shall be as determined by the Provincial Government.

The Term of the Office for the First Nation Appointees on the OPP Detachment Board shall be concurrent with the term of the First Nation Councils.

The Term of Office for Council and Community Representatives on the OPP Detachment Board shall be concurrent with the term of the Municipal Councils.

8. Oath of Office and Training

An OPP Detachment Board Member shall, at the time of their appointment as a member of the Board, take an oath or affirmation of office, in accordance with Section 35 of the CSPA, as amended.

An OPP Detachment Board Member shall successfully complete training, in accordance with Section 35 (2) of the CSPA, as amended.

9. Absence

Should any Council or First Nation Representative be unable to attend OPP Detachment Board meetings for three (3) consecutive meetings due to medical, emergency or other reasons, the respective Municipal or First Nation Council may appoint an alternate Council/First Nation representative for the duration of the absence. The alternate Council/First Nation representative appointed shall comply with the prescribed standards with respect to the exercise of its powers and the performance of duties under the CSPA, as amended. The alternate Council/First Nation representative's appointment shall terminate once the original appointed Council/First Nation Representative is ready to resume their responsibilities.

Any Community Representative who is absent from three (3) consecutive regular meetings without leave of absence or without satisfactory reason shall forthwith cease to be a member and the Board Administration shall advise the OPP Board, respective municipalities, and First Nations so that the vacancy may be filled.

10. Resignation

Any Municipal, First Nation or Community Representative wishing to resign shall provide their resignation in writing to the Chair (or Vice-Chair if the Chair is resigning) with a copy to the OPP Detachment Board Administration who shall notify the respective municipality or First Nation so that a replacement may be appointed.

Any Provincial Representative wishing to resign shall provide their resignation in writing to the Chair with a copy to the OPP Detachment Board Administration and shall notify the Provincial Appointments Secretariat so that a replacement may be appointed.

11. Filling Vacancies

Vacancies of a Municipal/First Nation representative shall be filled at the discretion of the respective Municipal/First Nation Council within three (3) months of the vacancy occurring.

Vacancy of a Community Representative shall be filled in accordance with Section 9 and ratified by all participating Councils within three (3) months of the vacancy occurring.

Vacancies of Provincial Representatives shall be filled at the discretion of the Province.

12. Chair and Vice-Chair

In accordance with Section 36 of the CSPA, as amended, the Chair and Vice-Chair shall be elected annually at the first meeting of each year by a vote of the majority of the OPP Detachment Board members.

In the absence of the Chair at a meeting, the Vice-Chair shall Chair the meeting. In the absence of both the Chair and Vice-Chair at a meeting, an Acting Chair shall be elected at the beginning of the meeting for the duration of that meeting.

13. Support Resources

The OPP Detachment Board shall be provided with administrative support through the appointment of a Board Administrator as determined by the municipalities. The Board Administration shall be responsible for all actions and financial undertakings of the OPP Detachment Board unless delegated otherwise by the OPP Detachment Board in accordance with Section 42 of the CSPA, as amended.

13.1 Board Administration Appointment

The Board shall appoint a Board Administrator. Compensation of the Board Administrator shall be included in the annual OPP Detachment Board budget and shared accordingly by the municipalities.

14. Quorum

A majority of the members of the OPP Detachment Board constitute quorum.

15. Procedures

All applicable Federal, Provincial and Municipal legislation and regulations shall be adhered to. This includes, but is not limited to:

- The CSPA and its regulations, as amended.
- The Code of Conduct for OPP Detachment Board Members, O. Reg 409/23,

as amended.

- The Peterborough County OPP Detachment Board Terms of Reference.
- Any adopted Peterborough County OPP Detachment Board Policies and Procedures.

The OPP Detachment Board shall review its Policies and Procedures as necessary. Any changes to the Terms of Reference require approval from the respective Municipal/First Nation Councils.

The OPP Detachment Board shall meet quarterly, at a minimum, unless otherwise determined by the OPP Detachment Board and shall publish its annual meeting schedule and the location of the meetings on the website of the respective municipalities and First Nations. The Board shall hold at least four (4) meetings per year in accordance with Section 43(1) of the CSPA, as amended. The OPP Detachment Board may close a meeting or part of a meeting to the public in accordance with Section 44(2) of the CSPA, as amended. Meetings may be held virtually, in-person or hybrid as determined by the Board in its Rules of Procedure.

Unless excluded by legislation, all OPP Detachment Board members eligible to vote, including the Chair, shall vote.

The OPP Detachment Board may solicit, document and consider public input where appropriate.

The agenda shall be distributed and posted at least seven (7) days before the OPP Detachment Board meetings on the websites of the respective municipalities and First Nations.

The minutes shall be posted once approved by the OPP Detachment Board, in a timely fashion on the on the websites of the respective municipalities and First Nations.

The approved minutes, signed by the Chair and Board Administrator, will be the responsibility of the Board Administrator and shall be keep as the official record meeting. With respect to the last meeting prior to an election, the minutes shall be approved per the OPP Detachment Board's Rules of Procedure.

16. Remuneration

The amount of remuneration paid to each Provincial Appointee shall be determined in accordance with O. Reg. 135/24 of the CSPA, as amended.

The amount of remuneration paid to each Municipal Appointee shall be determined and paid by their respective Municipal Council.

The amount of remuneration paid to each First Nation Appointee shall be determined and paid

by their respective First Nation Council.

The amount of remuneration paid to each Community Representative shall be determined by unanimous agreement of the participating municipalities with each municipality paying an equal share of the remuneration.

17. Financial

The OPP Detachment Board's annual budget shall be submitted for consideration to each of the Municipal Councils of the OPP policed communities comprised by the Board in accordance with Section 71 of the CSPA, as amended.

The OPP Detachment Board's annual budget shall be provided to each of the First Nation Councils represented on the OPP Detachment Board.

The Board Administration shall present a year-end financial report to the OPP Detachment Board, which once approved by the Board, shall be forwarded to each of the Municipal and First Nation Councils.